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Consideration of reports submitted by States parties under articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights

Combined second to fourth periodic reports of States parties due in 2000

Guyana*

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Introduction

1. In accordance with Articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights ("ICESCR"), The Cooperative Republic of Guyana hereby submits its Combined First, Second, Third and Fourth State Party Report on the measures which the State Party has adopted and the progress made in achieving the observance of the rights contained in the ICESCR. Guyana's State Party initial report was submitted in 1996.

2. This report has been prepared based on the guidelines on treaty specific documents to be submitted by State Parties adopted by the Committee at its 49th meeting in 2008 as well as the guidelines on a common core document and treaty documents as contained in the harmonized guidelines.

3. The Government of Guyana (Hereinafter "GoG") is committed to fulfilling its international treaty obligations, both in law and in fact, to ensure the progressive realization of the economic, social and cultural rights of all persons within its jurisdiction as well as to promote universal respect for, and observance of, human rights and freedoms.

4. As set forth in the preamble to the ICESCR, and in accordance with the principles espoused by the Charter of the United Nations, the GoG concurs that the foundation of global freedom, justice and peace is contingent on the recognition of the inherent dignity as well as the equal and inalienable rights of all humans. The GoG recognizes that to achieve the ideal of free human beings devoid of fear and want, conditions must be created whereby everyone may enjoy economic, social and cultural rights, coupled with civil and political rights, i.e., rights derived from the inherent dignity of humans. Consequently, the GoG strives to advance the interdependency and indivisibility of all human rights and has undertaken steps to adopt policies and programmes to fulfil the same in order to enhance the protection and promotion of all human rights.

5. Guyana asks the Committee to take note of Guyana's Report to the 8th session of the Universal Periodic Review in May 2010 and the 15th session of the Human Rights Council, September 2010 and the commitments made thereto.

6. The Committee is also asked to take special note of the major constitutional, parliamentary and legislative reforms in the period of reporting including the constitutional provisions for 5 Human Rights Commissions appointed through an agreed on parliamentary consensual mechanism after consulting civil society and the subsequent appointment of 4 of 5 of these Commissions. These are the Rights of the Child Commission, the Women and Gender Equality Commission, the Indigenous Peoples Commission, the Ethnic Relations Commission and the Human Rights Commission. The first three have been appointed and functioning.

7. Furthermore, the Committee is asked to take note of the contents of Guyana's State Party reports to the Committee on the Rights of the Child (CRC) and Committee on the Elimination of Discrimination against Women (CEDAW) which were submitted and brought up to date in April 2010 and in May 2010 respectively. Guyana's initial and interim reports were submitted to the Committee on the Elimination of Racial Discrimination (CERD) in 2006 and 2008. Guyana is presently working on finalizing its latest periodic report to CERD.

8. Therefore sections of detailed responses in the Guyana's State Party reports to the CRC and the CEDAW relevant to the ICESCR have not been repeated except where the State Party considers it necessary for the purpose of emphasis or to include more up to date information.

9. The State Party has made significant efforts in the preparation of this report to ensure that statistical information is provided in recognition of the comments made with regard to its initial report. Appendix I contains 21 Tables and Appendix II lists additional sources of information that Guyana submitted to the Office of the United Nations High Commissioner for Human Rights (OHCHR) and other UN bodies. This, in no small measure, has been a result of consistent and dedicated efforts and investment into the use of information based technology, training and collection and analysis of data generated by the public and private sectors.

10. It should be noted that in keeping with the 10 year cycle, a National Census will commence in 2012. References in this report are to the 2002 National Census.

A. Background

Economic status at time of reporting

11. Guyana's national developmental agenda is based on the new Low Carbon Development Strategy (2010), the Poverty Reduction Strategy (2011-2015) and the National Competitiveness Strategy supported by a plethora of sectoral policies and programmes.

12. Guyana has moved from being categorized as a Low Developing Country (LDC) (1980-2005) to a Low Middle Developing Country in 2006. The most recent UN Human Development Index Report 2011 places Guyana at 117 of 187 countries with a rate of 0.633, an increase over 2010, from 0. 629.

13. Guyana rebased its national accounts in 2010 to base year 2006 making projections more consistent with economic sectors. Guyana registered positive growth rate for 5consecutive years (2006-2011) with an average of 4.4%.[1]

14. The IMF's Table 1 reflects the rebased figures for those years with a projected growth rate of 5.3% in 2011. Noteworthy is that at the end of 2011, Guyana's growth rate had increased to 5.4% underpinned by increasing investment, improved commodity prices and more favorable terms of trade. The latter figures are of special significance given the global recession and financial crisis and shows that the country, through prudent management was able to cushion the impact on its people as well as maintain macro-economic growth and stability.[2]

15. Guyana's per capita (GDP) in USD has steadily improved from $862.8 (2004) to $1694.0 (2006) to $2260.3 (2008) to $2308.5 (2009) to $2501.7 (2010). Private consumption as a percentage of Gross Domestic Expenditure has risen from 49.2% (2004) to 67.8.3% (2010) and public consumption as a % of Gross Domestic Expenditure has declined from 21.8% in 2004 to 12.0% in 2010.

16. Guyana has also been able to control inflation and keep it to a single digit figure for the period 2004-2010 with 2007 being the exception where it stood at 14% due to the global fuel and food crisis.

17. Guyana's approach to facing the uncertain international economic environment was essentially two-fold: (1) maintaining macroeconomic stability while (2) increasing spending

[1] The Mid-Year Financial Report for 2012 continues to show positive growth rate of 2.8% real growth in the domestic economy and a projected growth rate of 3.8% for 2012.

[2] For instance, VAT was removed from all essential food items, baby food and milk, kerosene etc., and reduced for gasoline. No new taxes were introduced.

on the social sector (education, health, water, sanitation and housing) and maintaining spending on the most vulnerable groups.

18. The annual budgetary allocations for only two of the critical social sectors, Health and Education, have remained predictable and consistent at approximately 22-24% of the National Budget between the years 2000-2011 increasing from 15% in 1997.

19. Guyana affirms that targeted assistance for the most vulnerable in society as well as those most impacted by the uncertain global economic situation will continue to be maintained. The 2009, 2010 and 2011 Budgets are indicative of GoG's continued commitment to support social sector spending to the benefit of its people accessing essential services.[3] Table 2 provides a more detailed breakdown of budgetary allocations by social sector for years 2004-2010 as a percentage of GDP and a percentage of the National Budget by year.

20. Guyana's foreign currency reserves stands at $ 780 MUSD (2010), the first time in its history and its debt repayments have been reduced from the equivalent of 94 cents on every US dollar Guyana earned in exports in 1992 to 34 cents in 2011. At the end of December 2010, new disbursements of project loans were the main contributor to the 12% growth in external debt stock to $1 B USD, a reduction however from $2.1 B USD in 1992.[4]

21. External debt has been reduced from 658% of the GDP in 1991 to 47% at the end of 2011. Fiscal debt has been reduced from 11.2% to 4.4% in 2011. Foreign Direct Investment contributed USD $1.3 Billion over the past 5 years.

22. The November 19, 2010 statement by an IMF Mission to Guyana to conduct the Fund's Article IV annual review of the Guyanese economy concluded that "Despite external and domestic shocks in 2010, Guyana's economy has exhibited resilience, registering a fifth consecutive year of robust growth. Real Gross Domestic Product (GDP) is projected to grow by just under 4 per cent this year, above the outturn in 2009, supported by increased activity in sugar, gold, and services sectors. Notwithstanding downside risks, including the global environment and concerns in the sugar sector, the team expects growth to continue on a steady path, supported by expansion in the mining and construction sectors."

23. Furthermore as amplified in Guyana's report to the UPR process in May 2010, poverty levels have declined from 67% in 1992 to 36% in 2006[5] of which 18.6% was extreme poverty. Noteworthy, is that Guyana is a "relatively equal country for LAC standards … Guyana is the 7th least unequal country of the region out of a sample of 22 countries with a GINI coefficient of 0.50(2006).[6]

24. Moreover, the pro-poor pro-growth approach, adumbrated in Guyana's report to the UPR and more recently in the UNDAF CCA and CPD 2012-2016, has contributed to:

(i) The reduction of poverty;

(ii) A more targeted approach to address the needs of the poor and vulnerable – women, children, youth, Amerindian (indigenous) peoples, disabled and the elderly – and pockets of poverty particularly in the far interior; and,

[3] 2012 Budget continues this investment in the social sectors and social safety nets.

[4] Please refer to www.finance.gy.gov in regards to Annual Budget reports posted therein including the most recent for 2010 and 2011.

[5] Poverty Reduction Strategy Programme 2004-2008.

[6] World Bank Guyana Poverty Assessment, 2008, Part 1, page 19-20.

(iii) An improvement of the quality of life of people in general.

B. Recent political developments

25. The 1997 and 2001 general and regional elections were followed with violence that lasted for extended periods despite the judgment of the international observer missions that these elections were free and fair. In fact between these 2 elections, the country was so politically unstable that the President Mrs Janet Jagan signed two agreements, the Herdmarsten Accord in 1998 and the St. Lucia Accord in 1999 which essentially shortened the 5 year term of the government by 2 years in order to restore normalcy.

26. The Constitutional Reform process was recommenced in 1999 with the return of the opposition parties to the Parliament under a Presidential appointed parliamentary Constitution Reform Commission. As reported in Guyana's report to the 2010 UN UPR process this lead to far-reaching and progressive amendments to the constitutional architecture of the state and enshrined an inclusive model of governance.

27. In the 2002-2008 period the country experienced the most violent crime wave in its history leading to the massacre of 30 people including 5 children whilst they slept in their beds in communities, Bartica and Lusignan.

28. The 2006 general and regional elections were the most peaceful in the last two decades. Again the international observer missions deemed these free and fair. The Government won a clear majority of 37 of 65 Parliamentary seats and the legislative reforms (2005-2006) which followed the 1999-2003 constitutional reforms were implemented.

29. It is not accidental that the period of the most sustained economic growth and expansion of the economy and the improvement of the social well-being of the population took place in the post 2006 elections to November 2011.

30. On November 28, 2011 the general and regional elections held and these were followed with violence and the governing party was returned but with one seat short of the majority with the two opposition parties gaining 26 seats and 7 seats respectively.

31. Since then the Parliament has been dominated by a "one seat dictatorship" in the following ways:

- The two opposition parties taking the Speaker and the Deputy Speaker;
- The majority and chairmanship in all committees are controlled by the opposition parties, and those committees where the numbers are clearly defined they have moved to have these Standing Orders amended to give the opposition the majority;
- The opposition reduced the 2012 Annual Budget by G $20 Billion, the government approached the court which ruled that the Parliament should restore the allocations; the government returned to the Parliament several months later and the opposition again in contempt of court refused to approve those funds. The Ethnic relations Commission allocation for year 2012 was reduced to G$ 1 and then subsequently reduced to $0. The office has been forced to be closed;
- Despite efforts in April 2012 during the budget debates to reach agreement with the opposition, these parties reduced the budget by G$20 Billion.

32. On July 18, 2012 a planned protest for a 5 day shutdown of one of the towns of Guyana because of a planned electricity increase developed into a violent unrest with 3 dead, 11 injured and the burning of public buildings including a primary school which accommodates 800 children and a health centre including private moveable and

immoveable property. The township of Linden was shut down and cut off by an extremist fringe and due to its strategic location this unrest severed the country in half preventing all movement between the interior and the coast. It may be of interest to the Committee to access Guyana's statement by Ambassador Karran to the OAS Permanent Council on August 23, 2012 on the developments in Linden. Guyana's response to the IACHR press release also indicates the seriousness of this unrest.[7]

33. The role of the social media, internet radio and websites and Facebook fuelled the situation in Linden and used highly inflammatory racial language to incite people in a multi-ethnic multi-religious nation.

34. Guyana is alerting the ICESCR that recent trends do not bode well for the political, social and economic stability of the country and the preservation of hard fought democratic rights. As Guyana said at the OAS Permanent Council, the "situation in the country is precarious".

An examination by Guyana of the progress made towards and the current situation concerning the progressive realization of Covenant rights in law and in fact by persons within its territory or jurisdiction

Part I

Article 1 – Right to self-determination

35. The right to self-determination is a common article to both the International Covenant on Civil and Political Rights (ICCPR) (Article 1) and the ICESCR (Article 1). In accordance with the Charter of the United Nations, general principles of international law and General Comment No. 12, the citizens of Guyana have the inalienable right to self-determination. Consequently, Guyanese citizens may freely determine their political status and freely pursue their economic, social and cultural development. The GoG affirms that it shall continue to promote and respect the right of self-determination of its citizens in accordance with the Charter of the United Nations.

36. Guyana attained its independence on May 26, 1966 after a long and difficult struggle against Dutch, French and British colonialism. In 1970, Guyana's constitution was changed and consequently it became a Republic with a hybrid Westminster parliamentary system. Guyana then withdrew from the Privy Council (UK) as its highest court and located its Court of Appeal in country. In 2005, Guyana amended its constitution allowing for the Caribbean Court of Justice (CCJ) to be made its final Court of Appeal.

37. The broad-based Parliamentary Constitutional Reform Commission (1999-2003) introduced profound constitutional reforms accompanied with robust parliamentary reform (2003-2006).These reforms created an enhanced democratic framework for the newly restored democracy.[8] The revised Constitution 2003 made radical changes to the human rights and fundamental freedoms sections making them enforceable and enshrined an

[7] Guyana is prepared to submit these documents to the Committee.

[8] Please see Guyana's report to the UPR for additional information on the constitutional and parliamentary reforms.

inclusive governance model. Any references, therefore, in this report to the Guyana Constitution is referring to the 2003 revised Guyana Constitution[9].

38. Article 197(A) of the Guyana Constitution stipulates that "the defence and security policy of the State is to defend the nation's independence, and to preserve the country's sovereignty and integrity, and guarantee the normal functioning of institutions and the security of citizens against any armed aggression."

39. In 2004, Guyana appealed under the United Nations Conference on the Law of the Sea to settle the maritime boundary of Guyana and Suriname. The Arbitral Award by the ITLOS was given in 2007. Subsequently, the GoG drafted a new Maritime Zone Bill which was tabled in the National Assembly and sent to a special parliamentary committee for review and consideration. The Maritime Zone Act was passed in the National Assembly in July 2010. The date of commencement of the Maritime Zone Act was September 16, 2010.

40. Guyanese citizens freely determine their political status. To this end, Article 9 of the Guyana Constitution mandates that sovereignty belongs to the people, and this is exercised through their representatives and the democratic organs established by or under the Constitution.

41. In accordance with Article 13 of the Guyana Constitution, the fundamental objective of the political system is to establish an inclusionary democracy by providing increased opportunities for the participation of the citizens and their organisations in the management and decision making processes of the state, with particular emphasis on those areas of decision-making that affect their well-being.

42. In accordance with Article 10 of the Guyana Constitution, the right to form political parties and freedom of action/association are guaranteed. Political parties must respect the principles of national sovereignty and democracy.

43. The organs of local democratic power are an integral part of the political organization of the state. In accordance with Article 71 of the Guyana Constitution, local government is a vital component of democracy and shall be organized so as to involve as many people as possible in the task of managing and developing the communities in which they live. To this end, the country is divided into 10 Administrative Regions which elect their Regional Democratic Councils every five years at the same time as general elections are being held.

44. To further greater geographical representation, the electoral system was reformed prior to the 2006 general and regional elections to allow for 25 of the 65 seats of the National Assembly being elected from lists of candidates based on geographic representation from the 10 Administrative Regions and the 40 remaining seats from the national votes. The electoral system is proportional representation.

45. The processes that guarantee the right to self-determination entail extensive consultations with the people on government policies as well as the Cabinet outreach programmes, where Cabinet members hold public consultations, listen to Guyanese citizens' views/concerns and act on such. The weekly press briefings by the Cabinet Secretary allow the public to be kept informed of GoG's plans and decisions taken at the level of Cabinet. It also provides an opportunity for the media to question GoG's policies and programmes.

46. To extend the process of consultation, in 2008, Guyana also initiated the National Stakeholders' Forums and Conversations with Guyanese citizens whereby representatives

[9] This is available on www.parliament.gov.gy.

of national civil society bodies are invited to discuss issues of national importance. The National Stakeholders Forum is made up of the five parliamentary political parties,[10] the Labour movement, the business community, all the religious umbrella bodies (Christian, Hindu, Muslim, and other faiths[11]), and, civil society organizations. This body, when assembled represents the interests of approximately 300,000 Guyanese citizens. Since its creation, it has held 13 consultations on crime and security, global fuel and food crisis, the CARIFORUM/European Commission Economic Partnership Agreement (Hereinafter "EPA"), and domestic and sexual violence. This has been replicated with the use of "Conversations" with civil society bodies at the regional and community levels.

47. Civil society representatives sit on state boards as provided in legislative instruments. Community organisations and community development groups also participate and intersect at various levels on a variety of interventions with government agencies in improving their neighbourhoods, agricultural development, housing, water and solar management, care of the more vulnerable, etc.

48. In freely pursuing economic, social and cultural development, in accordance with Article 14 of the Guyana Constitution, the goal of economic development includes the objective of creating, promoting and encouraging an economic system capable of achieving and maintaining sustainable competitive advantage in the context of a global competitive environment, through fostering entrepreneurship, individual and group initiative and creativity, and strategic alliances with domestic and global business partners in the private sector.

49. Guyanese citizens thus have the right to freely dispose of their natural wealth and resources for their own ends, without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law, as contemplated in Article 1(2) of ICESCR.

50. Emerging out of a majority state controlled economy (1975-1988) wherein the private sector was small and fragile,[12] the Private Sector today is a growing sector, and has become stronger and more organized with several associations established across the 10 Administrative Regions as well as special sectoral interest groups particularly in the agricultural and natural resources sectors.

51. In accordance with Article 15 of the Guyana Constitution, the goal of economic development includes the objective of laying the material basis for the greatest possible satisfaction of the peoples' increasing material, cultural and intellectual requirements, as well as the development of their personality, creativity, entrepreneurial skills, and cooperative relations in a pluralist society.

52. In accordance with Article 35 of the Guyana Constitution, the state honors and respects the diverse cultural strains which enrich society and seeks constantly to promote national appreciation of this diversity at all levels.

53. To enhance the participation of the citizenry and reduction of inequalities and disparities, the GoG has adopted policies and programmes designed to specifically benefit the poor and vulnerable sections of the population (women, children, elderly, indigenous

[10] In the 9th Parliament (2006 September – 2011 September) there were 5 parliamentary political parties; in the 10th Parliament (2012-present) there are 3 parliamentary political parties.

[11] Religious denominations include: Hindu 28.4%, Pentecostal 16.9%, Roman Catholic 8.1%, Anglican 6.9%, Seventh Day Adventist 5%, Methodist 1.7%, Jehovah Witness 1.1%, other Christian 17.7%, Muslim 7.2%, other 4.3%, none 4.3% (2002 census). Other includes non-mainstream faiths such as Baha'is, Rastafarianism, Kali Mai, Apostolic faiths, etc.

[12] During that period the state controlled 80% of the economy.

peoples, and the differently-abled). These programmes aim to reduce poverty in the first instance and to ultimately eradicate poverty in order to ensure that all persons participate in the society and have equal access to the delivery of available goods and services.

54. Thus, Guyana's Poverty Reduction Strategy Programme 1(PRSP) (2004-2008) and PRSP 11 (2008-2011) and the latest PRSP 2011-2015[13] aim to benefit poor and vulnerable sections of the population through increased budgetary support for health, education, housing and water and social safety net[14] programmes and other interventions aimed at reducing poverty, providing equal access to the delivery of services, supporting their integration into mainstream Guyana and thus improving their conditions of life and their ability to enjoy all rights.

55. One of the innovative interventions of the GOG with regard to equal access is in relation to connectivity for the whole country and access to information based technology. In 2010, the GOG launched the One Lap Per Family Programme for 50,000 low income families across the country. The OLPFP has been developed with the concept of community facilitators who assist with the registration of the poor and low income families, verification, and computer training for each household. The interior areas will have community computer hubs as connectivity throughout the country is still a problem. By the end of 2011, 11,000 computers had been imported through an open tendering process and distribution has commenced[15].

56. Guyanese citizens thus may not be deprived of their own means of subsistence, as contemplated in Article 1(2) of ICESCR.

1. Climate Change and Low Carbon Development Strategy

57. Guyana is endowed with enormous natural resources' potential. It holds one of the 4 remaining pristine rainforests in the world. It is located on the north eastern shoulder of the South American continent. It is bound on the North by the Atlantic Ocean, on the South by Brazil, on the West by Venezuela and the East by Suriname.

58. In 2008 the GoG held consultations with all Amerindian communities and amongst civil society and private sector bodies, particularly those involved in exploiting the forest, on a new policy on "Avoided deforestation". This policy was accepted and launched as one of the pillars of Guyana's contribution towards reversing climate change.

59. In 2009 the GoG launched a draft Low Carbon Development Strategy (LCDS) which also was taken to all the Amerindian communities[16] and special interest groups. The draft and the revised draft of the LCDS were debated on 2 occasions in the National Assembly and adopted in 2009 and 2010, respectively.

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[13] This document was tabled in the Guyana Parliament on August 11, 2011 and an electronic version is available at www.finanace.gov.gy.

[14] Such as school uniform vouchers for all children enrolled in the public school system, public assistance to persons experiencing difficult circumstances, old age pension for all persons over 65, single parent assistance programmes. This State Party Report provides detailed information on these programmes further in this report.

[15] This programme was also slashed to $1 during the Budget 2012 debate in the National Assembly whereby the opposition parties with a majority of one voted it down. At the August 9th 2012 sitting the GoG returned to the National Assembly to restore funds and this was approved.

[16] "Amerindian" describes Guyana's first peoples made up of 9 distinctive linguistic groups. In some instances interpreters were used to explain the same in one of the Amerindian dialects.

60. The PRSP 2011-2015 and the LCDS coupled with the National Competitiveness Strategy and supported with sectoral policies form the foundation and guide the national developmental agenda for Guyana over the next 5 years.

61. It is useful to reiterate the information presented in the State Party's Report to the UPR in May 2010 that Guyana has a Memorandum of Understanding with the Kingdom of Norway on low carbon trading. In 2010 the Norwegian government having been satisfied that Guyana had met the agreed on benchmarks has approved the first disbursement of $15 M USD which was expected to be released. By mid-2011, Guyana has accumulated $70 M USD in low carbon trading services of a total projected $250 M USD earnings over a 3 year period. Regrettably, Guyana has not received any of these funds to date of reporting. In spite of this, Guyana Budget 2012 provided for a total of $18.B GY equivalent to the $70 M USD from the two pending disbursements to be expended on transformative LCDS identified projects.[17]

62. The Committee may also wish to note that Guyana's President was invited to serve on the High Level Panel to examine climate financing by UN Secretary General Ban Ki-Moon and worked with the team to submit its report in 2011.

2. Indigenous peoples rights

63. In respect to the rights of indigenous communities, it is submitted that the State Party recognizes and protects the human rights of its indigenous peoples' and in particular their right to the ownership of lands[18] and territories which they traditionally occupy or use as traditional sources of livelihood.

64. Guyana is home to more than 68,000 Amerindian (indigenous) peoples settled in 134 tilted communities and other communities belonging to nine different groups, living mainly in the hinterland and riverain areas of Guyana. The 2002 Census found that the Amerindian population was the fastest growing ethnic group in comparison to other ethnic groups with a population increase of 47.3% from 1991 to 2002, which represents an annual growth rate of 3.5%. They now represent 9.2% of the Guyanese population.

65. Legislative measures including the Constitution and the Amerindian Act of 2006 as well as other legislation ensure the protection of the rights of the Amerindian peoples to self-determination in respect to their lands, language, culture and heritage. Article 149(G) of the Constitution provides for indigenous peoples' rights. The Amerindian Act 2006 provides for detailed rights in relation to the Amerindians, especially land rights. This is the primary legislation on the property rights of indigenous peoples over lands, territories and natural resources further complimented with other statutes.

66. In the last 7 years through a participatory process, 134 indigenous communities now hold 97 communal land titles representing 14% of Guyana's land mass. In October 2010, an additional 14 certificates of titles were issued with 2 extensions of titles by the GoG at the Biennial National Toushaos Conference. These legal titles are grants of state lands that are "absolute and forever" and allow for indisputable control over their land to use as they see fit for their development, thus providing these communities with land tenure, security and choices in their developmental plans.

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[17] The opposition parties in the National Assembly of the 10th Parliament disapproved the budgetary allocations for the Low Carbon Development programme by a majority vote of one.

[18] For addition information on the legal framework of the Indigenous Peoples ' Property and Land rights, please refer to Guyana's submission to CERD in 2006 and 2008 as well as its submission to the IACHR on the IACHR Questionnaire on the Legal Frame work on Property Rights of Indigenous Peoples, October 7, 2009 which may be helpful.

67. Furthermore, Amerindians are free to acquire private land and /or lease land in their individual capacity as all other Guyanese. Guyana wishes to emphasize that Amerindian communities are not reservations. They are free to leave, travel and live in any part of the country.

68. There are approximately 22 more communities to be titled over the next 2 years. As a result of the agreement with Norway and the pending release of revenue earned by Guyana, USD $ 8 M of this will be exclusively allocated towards the completion of the demarcation of those Amerindian communities who have applied as well as those who have titles but are requesting extension of their lands; on the expansion of the provision of solar systems for the Amerindian communities in the interior and micro-entrepreneurial transformative economic activities for each community over the next two years.

69. Recognising that it would take a long time for Guyana to be able to afford to provide electricity to Amerindian and interior residents in their homes, in 2010-2011, the GOG developed a rural hinterland electrification programme that would provide solar panels to 11,000 Amerindian households in the hinterland communities. This was included into the budgetary allocations for the Low Carbon Development programme.

70. The Amerindian Act not only provides generally for the recognition and protection of the collective rights of Amerindian Villages and Communities, but also provides for the promotion of good governance within Amerindian Villages and Communities.

71. In September 2008, a national consultation to address policy approaches for Amerindian Community Forestry Enterprises with representation from over 60 indigenous communities across the 10 administrative regions of Guyana was held.

72. The Ministry of Amerindian Affairs headed by an Amerindian female Minister coordinates the overall government policy and oversees and represents the issues affecting the Amerindian communities.[19]

73. The National Toushaos Council (NTC) which is the sole legitimate authority to speak on behalf of the Amerindian communities with the government and external bodies represents all 134 titled communities and satellite communities and untitled communities which elect the executive of the NTC.[20]

74. Guyana is proud to have an Amerindian Toushao, Bertie Xavier, elected to sit on the UN Permanent Forum on Indigenous Peoples since 2010.

75. Guyana's representative on the Amazon Cooperation Treaty Organization is the coordinator of indigenous affairs and she is also an Amerindian.

[19] The first Ministry of Amerindian Affairs was established in 1993 with the first Amerindian as a Minister, since then the post has been held only by Amerindians and both were/are females.

[20] The NTC executive is made of 20 Toushaos (Captains) who are elected members. In 2010, 6 of these members were female and the chair was also held by a woman Toushao. In 2012 the new NTC executive was elected.

Part II

Article 2 – Progressive realization of rights

1. International cooperation and assistance

76. The GoG has undertaken steps, both on its own and through international and regional assistance and co-operation to progressively achieve the full realization of the ICESCR by several means. For instance, as a member of several regional and international organisations, Guyana has made advances at international, regional and bilateral cooperation. This cooperation entails technical and financial agreements.

77. As a developing country, the GoG recognizes the input that the international community has made in supporting government programmes and ultimately towards the realization of economic, social and cultural development and strengthening the democratic rights of its citizens. This has been undertaken in accordance with the national development agenda for Guyana.

78. It should be noted, that in 1992 Guyana's debt absorbed 94 cents of every US dollar it earned from its exports, in 2010 that has been reduced to 34 cents on every US dollar earned in spite of continued borrowing for infrastructural works. Contributing to this achievement was the HIPIC initiative, where Guyana met the required benchmarks, and thus benefitted from debt write-offs to the tune of $ USD 467 Million between years 1998-2004 coupled with prudent fiscal and financial management of the economy and resources. Guyana no longer has a loan portfolio with the IMF.

2. International and Regional Cooperation

79. The development partners, both internationally and regionally, include; the UN Family[21], the European Commission, the World Bank, the Inter-American Development Bank, the Caribbean Development Bank (CDB), the International Fund for Agricultural Development (IFAD), USAID, CIDA and DFID. Whilst therefore Guyana has benefitted from external help mainly through concessional loans from the international financial institutions and development partners, it has also made great efforts to reduce its foreign debt and to bring economic stability to the country; the results of which are evident as stated in the Background section of this Report.

80. The United Nations Development Assistance Framework (2006-2011) focused around three main outcomes determined by the national priorities of Guyana including increased proportion of the population accessing quality services in health, water and sanitation and housing with capabilities enhanced to maximize available opportunities; empowered individuals and groups, strengthened institutions and an enabling constitutional and human rights framework, reduced poverty through stimulation of growth and job creation and environmental sustainability and disaster prevention and mitigation.

81. Guyana's priorities in the present UNDAF Country Cycle (2012-2016) continues to focus on inclusive governance, inclusive growth, human and social development and environmental sustainability and disaster prevention, preparedness, management, and mitigation.

[21] The United Nations Development Assistance Framework (UNDAF) is the common strategic framework that will guide the agencies, funds and programmes of the UN development system in formulating their operational activities in support of the people and GoG during the period 2012-2016.

82. Guyana is also a member of the Organization of American States (OAS), the Caribbean Community (CARICOM), the Union of South American Nations (UNASUR),[22] and the Amazon Cooperation Treaty Organization (ACTO).[23]

83. Guyana is a strong advocate for South-South cooperation as well as regional integration in South America and the Caribbean through its membership in UNASUR and ACTO and as a member of CARICOM.

3. Bilateral Cooperation

84. Bilateral Cooperation with other states towards the realization of economic, social and cultural development include Joint Commissions and Bilateral Treaties with Cuba, India, Korea, China, Brazil, Colombia, Netherlands, Nigeria, Ghana, Russia and numerous other countries.

85. One of the longest bilateral cooperation is with Cuba which was established in 1972.[24] The bilateral agreements with China and India have resulted in loan agreements in major infrastructural works (a modern sugar factory, a National World Class Sports Stadium, an International Convention Centre, 2 Roll on Roll off ferries) to benefit the development of the country supported with technical expertise and training opportunities.

86. Its economic partners from the developing world have increased significantly and this has contributed to the intensification of Guyana's economic growth path.

4. Anti-discrimination

87. The GoG has undertaken to guarantee that the rights provided for by ICESCR will be exercised without discrimination as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

88. Guyana has adopted measures to promote and protect the rights guaranteed by ICESCR, through constitutional and legislative reform as well as policies and programmes.

89. Guyana's legal system is a hybrid system founded on English common law entwined with several principles of Roman-Dutch law. The Constitution of Guyana[25] is the supreme law of the land and is based on the rule of Law. To this end, any and all laws which conflict with, are inconsistent with, or are contrary to Guyana's constitutional provisions are deemed preempted and trumped by those corresponding Guyana's constitutional provisions, to the extent of the inconsistency.[26] The Guyana Constitution guarantees the basic customary human rights that are enshrined in international human rights instruments such as ICCPR, ICESCR, Convention on the Rights of the Child, and the Convention on the Elimination of All Forms of Discrimination against Women.

90. The Constitution guarantees a wide range of civil, political, economical, social and cultural rights. In accordance with Article 154A(1) of the Constitution, every person as contemplated by the respective international treaties to which Guyana has acceded, is

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[22] From November 2010-October 2011, Guyana assumed the chair of UNASUR.

[23] Guyana now holds the post of Coordinator of Indigenous Affairs in ACTO and the representative is an Amerindian woman.

[24] Some of the benefits Guyana has derived have been highlighted in Guyana's report to the UPR, May 2010 (4 new diagnostic centres including a new Ophthalmological Centre; training of 1000 Guyanese students in Cuba in medicine, engineering, agronomy etc.; teaching specialists at the University of Guyana Medical School and 2000 patients sent to Cuba for eye surgery).

[25] The 1980 Constitution as amended by of Constitution (Amendment) (No. 2) Act 2003 and Act. No. 10 of 2003.

[26] Article 8 of the Constitution.

entitled to the human rights enshrined in those international treaties. The treaties that Guyana has been a signatory to are listed in the Fourth Schedule to the Constitution[27]. The Executive Legislature, Judiciary and all organs and agencies of the Government shall pay due regard to international law, conventions, covenants and charters bearing on human rights. Victims of violations can seek redress in the courts for breaches of human rights under the constitution or any other law. Chapter III and IV of the Constitution further provide for fundamental rights and freedoms of the individuals. Any citizen of Guyana can apply to the respective body governing the ICCPR.

91. Article 154A(3) provides that the State shall, having regard to the socio-cultural level of development of the society, take reasonable legislative and other measures within its available resources to achieve the progressive realization of the rights contained in Subsection (1) of Article 154A.

92. Guyana has a significant collection of statutes which provide for the promotion and protection of political, economic, social and cultural rights in housing education, health, food security, and employment as well as strong anti-discrimination provisions in the constitution and in statute.

93. Legislative measures outlaw discrimination as listed in Guyana's State Party reports, particularly the 2010 UPR Country Report and the 2006 initial and 2008 interim reports to CERD.[28]

94. Specifically, Article 149 of the Guyanese Constitution provides for protection from discrimination. Article 149 (1) prohibits laws which are explicitly or implicitly discriminatory and mandates against any person being treated in a discriminatory manner by any person acting by virtue of any written law or in the performance of the functions of any public office/authority. Article 149(2) defines discrimination as "affording disparate treatment to different persons attributable wholly or mainly to their or their parents respective description as to race, place of origin, political opinion, colour, creed, age, disability, marital status, sex, gender, language, birth, social class, pregnancy, religion, conscience, belief, or culture, whereby persons of such description are subjected to disabilities or restrictions to which other persons are not made subject or are afforded privileges or advantages which are not afforded to other persons of the same or another description". Sub-Subsection (d) of the same provides for equality of persons before the law; and Sub-Subsection (e), for equality of status.

95. Additionally, the 1999-2003 constitutional reform process made significant progress towards addressing ethnic and racial insecurities and discrimination. In accordance with Article 160A (1) of the Guyana Constitution; all persons, institutions and political parties are prohibited from taking any action or advancing, disseminating or communicating any idea which may result in racial or ethnic division among people.

96. Furthermore, Article 160A(2) instructs that the Parliament shall by law make provisions for offenses and penalties, including penalties preventing or disbarring any person or political party from contesting any election for membership or being a member, as the case may be, of the local democratic organs or of the National Assembly. Under the Racial Hostility Act of 1973 (amended by Act No.9 of 2002), incitement to racial hatred is a criminal offence, punishable where a person willfully excites or attempts to excite hostility or ill will against any section of the public or against any person on the ground of their race.

[27] The ICESCR is listed as one of those conventions in the Fourth Schedule of the constitution.

[28] See Guyana's submission in response to OHCHR request for information on incitement to national, racial and religious hatred, dated September 30, 2010.

97. The constitutional provisions for the establishment of 5 rights commissions, in particular the Ethnic Relations Commission (ERC) is a critical component in providing a complaints mechanism and an oversight body in an ethnically diverse society. The ERC was appointed in 2003 and is appointed through a consensual parliamentary mechanism. The 9th Parliament failed to reach consensus and the required two-thirds majority vote to re-appoint the Commissioners. The Commission's secretariat continued to function until May 31, 2012 when the Parliament reduced its Budget to $1 and then in August 2012 reduced it to $0.

98. The GoG remains firm in its commitment to eradicate all forms of racism, racial discrimination, and ethnic insecurities and it continues to promote and advance polices that focus on the alleviation of poverty and the advancement of its citizens irrespective of race, colour or ethnicity, allowing for equitable access to all available services and entitlements as Guyanese citizens.

99. In sum, GoG's policies and measures in favour of the poor and vulnerable sections of the population are aimed at eliminating barriers with regard to race, ethnicity, culture, religion or class.

5. Rights of non-nationals

100. The State Party pays due regard to human rights in its national economy and has determined to what extent it guarantees the economic rights recognized in ICESCR to non-nationals and aliens based on available resources and reducing inequalities.[29] Of note, Guyana has also ratified the International Convention on the Rights of Migrant Workers and their Families in July 2010.

101. Section 2 of the Immigration Act Cap 14:02, defines an immigrant.[30] The GoG recognizes that the economic, social and cultural rights of non-nationals are largely not restricted. For instance, non-nationals have the same right of access to health care at government public health facilities and the right to free primary and secondary education in the public sector educational system. Non-nationals also have uninhibited access to free education and health care up to the tertiary levels. At the tertiary levels, there are deviations with regards to the access to loans and educational fees between nationals and non-nationals.

102. It is important to note that the laws of Guyana make a distinction between citizens, commonwealth citizens as well as aliens and CARICOM nationals. Guyana's Constitution, Article 47 addresses commonwealth citizens.[31]

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[29] See Guyana's submission in response to UN Questionnaire on Right to Education of Migrants, Refugees and Asylum Seekers, dated January 7, 2010 and its submission in response to the OHCHR request for information on the challenges and practices in implementation of a Framework for the Protection of Rights of the Child in the context of Migration, August 16, 2010.

[30] An immigrant is defined as a person who enters Guyana from a place outside Guyana, whether for the first or any subsequent time. Therefore all such persons within Guyana are classified as non-nationals.

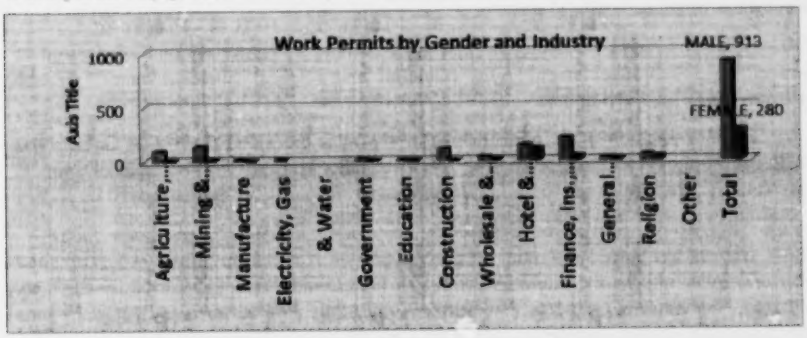
[31] According to Article 47(3) of the Constitution, the countries to which the article applies are Antigua and Barbuda, Australia, The Bahamas, Bangladesh, Barbados, Belize, Botswana, Brunei, Canada, Cyprus, Dominica, Fiji, The Gambia, Ghana, Grenada, India, Jamaica, Kenya, Kiribati, Lesotho, Malawi, Malaysia, Maldives, Malta, Mauritius, Nauru, New Zealand, Nigeria, Papua New Guinea, Seychelles, Singapore, Sierra Leone, Singapore, Solomon Islands, Sri Lanka, Saint Christopher and Nevis, Saint Lucia, Saint Vincent and the Grenades, Swaziland, Tanzania, Tonga, Trinidad and Tobago, Tuvalu, Uganda, United Kingdom and Colonies, Vanuatu, Western Samoa, Zambia and Zimbabwe.

103. Aliens are persons who are neither Commonwealth citizens, CARICOM nationals nor citizens of Guyana. The laws governing aliens include: (1) the Constitution; (2) The Immigration Act Cap 14:02; (3) the Aliens (Immigration and Registration) Act Cap 14:03; (4) Status of Aliens Act Cap 14:04; and (5) the Expulsion of Undesirables Act Cap 14:05. The main requirement is that they are legally in the country with the requisite visas and/or work permits. The Status of Aliens Act Cap 14:04 delineates provisions for the acquisition and disposal of movable and immovable property by aliens. Aliens have the same rights as Commonwealth citizens in respect to property. As such, non-nationals/aliens may acquire land and may engage in agricultural activities. Aliens have a right to marry Guyanese and to apply for citizenship as specified in the Citizen Act.

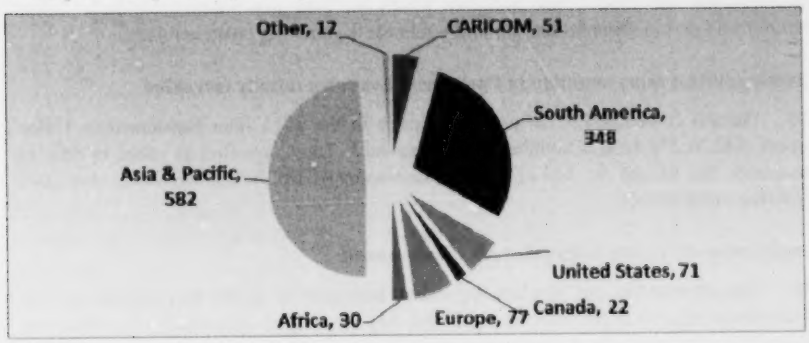
104. For the purposes of labour and employment, non-nationals/aliens can gain employment if they acquire official work permits, however, should non-nationals/aliens not have such permits, there are several measures in place for the regularization of their employment. Guyana does not charge fees for work permits. Furthermore, non-nationals/aliens are protected by identical labour laws as national/citizen employees.

105. Migrants are entitled to apply for visas (including dependents) and work permits from the Ministry of Home Affairs which, in most cases, are granted in a timely manner.

Graph No. 1.1
Work permits by gender and industry, October–December 2010



Graph No. 1.2
Work permits by country of origin, October–December 2010



Source: Guyana Labour Market Quarterly Bulletin October-December 2010.

106. Information on Guyana's immigration policy and statutes towards CARICOM nationals is addressed on page 27 of this report.

Article 3 – Equality between men and women

107. The State Party has undertaken to ensure the equal rights of men and women to enjoy all economic, social and cultural rights as set forth within ICESCR. The GoG remains committed to promoting the equality of women in all spheres. This is consistent with its obligations arising out of the Guyana Constitution, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) as well as other human rights instruments and standards.

108. As described in Guyana's 2010 report to CEDAW Report, the GoG has taken steps to promote the basic tenets of the human rights corpus, namely; equality and non-discrimination, between women and men in the enjoyment of economic, social and cultural rights. Guyana's constitutional provisions including Articles 34, 49, 149(2), Article 149(d), and Article 149(E) and (F) prohibit gender discrimination and mandate the equality of women in addition to ensuring that all newly drafted legislation is gender neutral.

109. Specifically, Article 149(F)(1) mandates that every woman is entitled to equal rights and status as those enjoyed by their male counterparts, in all spheres of political, economic and social life. Furthermore, sub-subsection (2) of the same Article stipulates that every woman is entitled to equal access as men to enjoy, in terms of academic, vocational and professional training, equal opportunities in employment, remuneration and promotion and in social, political and cultural activity.

110. Women's rights are protected through a number of legislative and administrative measures and their involvement in the economic and political spheres advanced through pro-active government policies.

111. In its evaluation of its performance in attaining the MDG Goal # 3, Guyana has made good progress towards promoting gender equality and the empowerment of women. The country met the target of eliminating gender disparity in primary and secondary education, and strives towards gender parity at the tertiary level.

112. Guyana has made substantial progress in providing access to primary education and ensuring equity in primary enrolment, with a 94% enrolment rate. Gender parity has been achieved, and the GoG expects that primary education will be universal by 2015 thus achieving MDG 2. The completion rate of 95% in 2007/08 for boys and girls is satisfactory. Repetition rates have declined to below 2% for boys and girls and the drop-out rate which was 4% for a number of years declined to 3% in 2007-2008. These are indications that the Education for All -Fast Track Initiative which includes new methodologies in active learning, and partnerships for child friendly schools is garnering positive results.

1. Female political representation in Parliament has substantially increased

113. Guyana is ranked 25th of a 170 countries in the 2012 Inter-Parliamentary Union Report with 31.3% female Members of Parliament.[32] The Committee is asked to refer to paragraphs No. 94 and No. 143 of the Guyana Report A/HRC/WG.6/8/GUY/1, May 2010 for further information.

2. Employment of women is targeted for improvement

114. Government has put in place legislative measures to ensure that women are not discriminated against in the workplace and that they have equal opportunity to professional

[32] Please refer to http://www.ipu.org/wmn-e/classif.htm.

and economic benefits associated with work. (This is elaborated in Guyana's response to Article 6 gender and employment).

115. The share of women in wage employment in the non-agricultural sector has increased from 29% in 1991 to 33% in 2006. This positive trend suggests that labour markets are becoming more open to women in industry and service sectors, and that more women are in a position to secure for themselves better income, economic security and well-being.

116. There are many factors which affect the ability of women to enter into the work force, including marital status[33], care of children and dependent relatives, geographic location, and type of work offered. Low participation rates for women may both reflect and reinforce the persistence of traditional gender roles and responsibilities within the Guyanese society and family.

117. The government has responded to the challenge of increasing female participation rates in the labour force by ensuring equal access to education and training as well as through the provision of incentives and support systems to facilitate the entry of women into the workforce. Two new Government initiatives aim to ameliorate this situation:

(i) The Single Parent Assistance Programme (SPAP) which began in March 2009 provides training in selected "child-friendly" professions, such as cosmetology, catering, information technology, office procedures, childcare and care for the elderly. This has benefited 1106 single parents to date. Upon successful completion of this training, graduates receive grants of G$65,000 (US$325) to enable the start-up of a business in their area of training. A follow-up study on the success of this programme is currently being conducted. The second component of the SPAP offers day care vouchers to subsidise the cost of childcare. By end of 2010, 336 single parents had benefitted;

(ii) The introduction of the Women of Worth (WOW) micro-credit facility in June 2010 emerged out of a GOG/locally owned commercial bank partnership specifically targeting women between the ages of 18-65 allowing them to access low interest loans without collateral to start up or develop businesses in June 2010. WOW has been successful thus far. At the time of reporting, 1000 women have been able to access these low interest loans totalling G$154M (US $ 770,000).

118. In an effort to progressively facilitate the implementation of gender equality and non-discrimination between women and men in the enjoyment of economic, social and cultural rights, the revised 2003 Constitution provides for 5 constitutional Rights bodies, one of which is the Women and Gender Equality Commission. This Commission was established in 2009 through the parliamentary consensual mechanism and is operating both effectively and appropriately in accordance with its mandate in monitoring the implementation of gender equality. This Commission submitted its first annual report to the Speaker of the National Assembly on August 11, 2011 and its second in July 2012.

Article 4 – Limitations on rights

119. The GoG recognizes that, in conformity with the ICESCR the State Party, may subject such rights only to those limitations which are determined by law as long as: (1) such limitations are compatible with the nature of the ICESCR rights; and (2) such limitations are for the purpose of promoting the general welfare in a democratic society.

[33] It should be noted that 29% of the households are headed by females.

120. The Guyana Constitution provides for limitations of economic, social and cultural rights. Specifically, in accordance with Article 140(3) (a-d), forced labour does not include: (a) any labour required in consequence of the sentence or order of a court; (b) any labour required of any person while he is lawfully detained that, though not required in consequence of the sentence or order of a court, is reasonably necessary in the interests of hygiene or for the maintenance of the place at which he is detained; (c) any labour required of a member of a disciplined force in pursuance of his duties as such or, in the case of a person who has conscientious objections to service as a member of a naval, military or air force, any labour that person is required by law to perform in place of such service or; (d) any labour required during any period when Guyana is at war or in the event of any hurricane, earthquake, flood, fire, or other like calamity that threatens the life or well-being of the community to the extent that the requiring of such labour is reasonably justifiable, in the circumstances of any situation arising or existing during that period or as a result of that calamity, for the purpose of dealing with that situation.

Article 5 – No restriction or derogation

121. The GoG recognizes that nothing in ICESCR may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the ICESCR contemplated rights or freedoms, or at their limitation to a greater extent than is provided for therein. However, as contemplated by Article 154A(6) of the Guyana Constitution, the GoG may divest itself or otherwise limit the extent of its obligation under any of the treaties listed in the Fourth Schedule, provided that two thirds of the elected members of the National Assembly have voted in favour of such divestment or limitation.

122. The GoG recognizes that no restriction or derogation from any of the fundamental human rights recognized or existing in any country in virtue of law, conventions, regulations or custom shall be admitted on the pretext that ICESCR does not contemplate such rights or that ICESCR recognizes them to a lesser extent.

Part III

Article 6 – Right to Work

123. The Guyana Constitution establishes the responsibilities of the state which are:

1. To recognise the labour of people as the source of social wealth and well-being of the people as a whole and of each individual.[34]

2. To guarantee the right to work, strengthened by labour laws and sustained efforts of the trade union movement.

3. To acknowledge the rights of every citizen to rest, recreation and leisure.

4. To provide the right to equality of opportunity and treatment in all aspects of employment, education, social and political life.

[34] In accordance with Article 21 of the Guyana Constitution.

124. Guyana ratified the Unemployment Convention 1919, No 2, which requires that Member states:

1. Ensure measures are taken to combat unemployment.

2. To establish a system of free public employment agencies.

In addition Guyana has signed 36 ILO conventions protecting workers' rights.

125. At the regional level, Guyana as a member of the CARICOM supports and observes Labour Policies both at regional and international fora. The Caribbean Charter of Civil Society, Article XIX, provides for the right and protection of every worker to be fairly treated at the work place and to enjoy a safe, hygienic and healthy work environment.

126. The GoG therefore recognizes the right to work, which includes the right of opportunity to gain one's living by work which they freely choose or accept, as contemplated by ICESCR. The GoG affirms its commitment to continue to take appropriate steps to safeguard such rights.

127. Furthermore, in accordance with Article 22(2) of the Guyana Constitution, every citizen who is able to work has a duty to work. Article 149A of the Guyanese Constitution instructs that no person shall be hindered in the enjoyment of his or her right to work, that is, the right to free choice of employment. Additionally, Article 140(2) of the Guyana Constitution stipulates that no person shall be required to perform forced labour. The working-age population (persons no younger than 15 years old) contains the country's human resources who are in a position to engage in productive activity.

128. The GOG recognizes that in order to uphold the right to work the state must facilitate the right to education and other basic rights such as health and equality of access to these services. This right to education includes the provision of special skills training programmes[35] for those who have dropped out from the school system or who need to be retrained with new skills to improve their well-being.

129. The GOG's consistent and constant investment in health, education, housing, water and social safety nets lay the basis for improved access to these essential services and contributes to a reduction of poverty and a reduction of inequalities between the "haves" and "have nots". These programmes are developed in greater detail in this report.

130. Guyana re-emphasizes that in spite of its challenges it has one of lowest inequality ratios in the Latin American and Caribbean region.[36]

131. The GoG has received technical assistance from UN over the years. For instance, key representatives of the Labour Ministry and the United Nations (UN) developed a Decent Work Country Programme for Guyana on March 25, 2010. A two-day workshop was convened by the National Tripartite Committee/International Labour Organization (ILO) and included discussions focusing on five-specific areas linking national development objectives and outcomes in the ILO's programme and budget, including: (1) the creation of green jobs and decent work governed by the framework of Guyana's Low-Carbon Development Strategy (LCDS); (2) the enhancement of Technical Vocational Educational Training (TVET); (3) the introduction of entrepreneurship education for disadvantaged groups; (4) revitalization of cooperatives; and (5) the strengthening the capacity of the Ministry of Labour, Human Services, Social Security as well as employers'

[35] As such, budgetary allocations of funds to the Ministry of Labour, Human Services and Social Security, increased by 14% , from $4.6 B GD in 2009 to $5.2B GD in 2010 (the largest increase to any state agency in one year).

[36] World Bank Guyana Poverty Assessment 2008.

and workers' organizations to more effectively function and respond to needs of the citizens.

132. The labour force is dynamic in the opportunities and challenges presented. Overall the absolute size of the labour force has been declining from 282,964 in 1992 to 263,467 in 2006 and unemployment has stabilized around 10% for over a decade[37]. This is balanced by the increase in the emergence of micro, small and medium-sized enterprises in the last 4 years responding to the opening of economic opportunities and expansion and diversification of the economic base.

133. The annual 2011 Budget demonstrated statistically that the new and emerging sectors – construction, tourism and hospitality services, diversified agriculture and information-based technology/call centre industry – have contributed to a shortage of vocational and technical skills and provided greater employment opportunities. This is the first time that Guyana's dependency on sugar and bauxite as its main traditional export revenue base has been reduced.

134. The extractive industry with new exploration licenses for oil and natural gas by foreign companies involved in off-shore exploration has opened up new areas for the economy and demand for new skills. So too, manganese mining which had stopped in the 1960s has re-opened and is expected to provide between 250 and 1000 jobs in the development phase. Three companies are prospecting for radio-active minerals and the government has invited expressions of interest in earth elements which are vital components in the electronics industry.

135. With the high price of gold, this mining sector, almost wholly Guyanese owned and operated, has expanded. Gold declarations reflect a 17.7% increase. In relation to small and medium scale gold mining over USD100 M was invested in 2011. Two major foreign gold mining investments totaling USD $1 Billion will create between 400-550 jobs over the next 2 years.

136. However, challenges being faced in the workforce include: retention of skilled personnel, uneven participation by women and young people eligible to work, improvement of skills sets, matching supply of and demand for skills, and creating opportunities for increased economic activities through self-employment and the creation of new small and medium business specially targeting support services for the emerging sectors.

137. According to a World Bank Report (2010), the services sector accounts for half of the total employment in Guyana. Twenty-five percent of employment takes place at the agricultural sector, while the remaining 75% are engaged in the construction, extractive and manufacturing industries and the public sector. The agricultural sector provided 22% of the employment in 2002, a decline of 6% of the level in 1991, which was then approximately 28% of the total employment.

138. The shift of employees to the services-sector accounts and higher numbers completing secondary education are most likely contributory factors to the decline in agricultural employment and a consequential increase in the service sectors from 46.4% in 1991 to 53.1% in the same period.

[37] MDG Progress Report 2011 uses a 10% unemployment figure. The average unemployment level stood at a guesstimate of 16.8% in 1980. The Employment and Household Surveys 1999-2006 and SEDLAC, World Bank notes an overall unemployment rate declined from 13% in 2002 to 9% in 2006. Recent data shows that the unemployment rate is approximating 9% in 2011.

139. A significant contribution to the size and growth of the services-sector came from commerce, particularly "the wholesale and retail trade, repair of vehicles and motor cycles, and household goods."

140. However it is anticipated that with the renewed focus on diversified agricultural development and export the employment figures in the agricultural sector will also show upward movement. The agricultural subsectors (other than rice and sugar) grew by 5.7% in 2010.

141. The case of the construction sector is indicative of the growth in the economy and a reflection of the availability of more money for citizen security.

142. The Construction sector has been the fastest growing activity absorbing labour. This sector has shown that it is capable of generating jobs rapidly with an expansion in industrialization and urbanization. Large scale infrastructure projects in roads, bridges, power, sea and river defences, drainage and irrigation, housing, schools and health facilities have catapulted this sector forward.

143. Construction and the related Engineering Sector created 5000 jobs in the period 2002-2006. This sector in Guyana grew on average by 5.1% for 2007 to 2011, with a low of 0.5 in 2009 and a high of 10.8% in 2010, and is expected to grow by 4.5% in 2011 (Bureau of Statistics, 2011). Construction reflected 9.8% of GDP in 2009 and 10.3% of GDP in 2010 (Budget, 2011). This sector's growth has been driven by high public investment in infrastructural works; in 2011 this amounted to G$16 billion-the third largest allocation after health and education; public investment in housing-estimated at G$9 billion in 2010 and substantial private investment in housing with 2,500 building approvals issued in 2010 and commercial approvals averaged 600 per year (Pitt, 2011). (see Table 3).

144. The global call centre industry is a completely new sector in Guyana and in the relatively short period it has absorbed 3,200 employees (2002-2010) and is expected to require up to 5000 more employees over the next 2 years with projected expansion by the companies operating in Guyana. The largest company in this sector, Qualfon is a foreign owned call centre that employs approximately 1500 workers and is expanding to a new and larger facility that aims to employ an additional 2000 workers over the next two-three years. In total, there are 6 call centre providers in Guyana in 2011 employing 2500 workers and these have also encouraged the formation of ancillary services to meet their needs.

145. However, tackling unemployment and underemployment remains a significant challenge for the government. Unemployment levels are higher for youth and women. The unemployment rate for women has consistently declined from 1992-2006 but levels have still been higher than those for men for all years under review.

146. The percentage of youth under 25 years of age who constitute the employed labour force increased from 8.7% in 1992 to 15.8% in 2006. In contrast, in 2002, the sub-set of the youth population, of ages 15-19 years, had unemployment levels that were almost five times as high as the 30-44 age group. This is partly explained by the traditional lag encountered by work-inexperienced students finding their first job after leaving school. The government has instituted a number of programmes to reduce the problems experienced by youth and women and to address general unemployment.

147. With respect to occupation and employment status, a large volume of employees are paid employees followed by own account workers, with less than 4% engaged in unpaid family work and employer group respectively. Also, as reflected in the analysis of the 2002 census data, 28.4% of employees had elementary occupations, delineated as follows: (1) craft and related trade (16.3%); (2) service, shop and market sales (14.8%), while the remaining occupations employed less than 10% of the labour force. Notable is the fact that 21.6% of women's employment was in "service, shop and market sale professions", while

"clerical" and "technical and associate" professions engaged equivalent proportions of women (approximately 16%).

148. Changes in workers' status over the years can provide insight into the changing nature of economic activity. Greater levels of economic development are associated with an expansion of the employee group and contractions of the groups of own-account workers and unpaid or contributing family workers, as a proportion of the total labour force. The overall contractions seen in these two groups over the ten year period under review suggest that economic activity may be transitioning from the informal sector to the formal economy.

149. Of the 42,577 disabled persons in the working age population, 22% were employed, 86% who sought work were employed, and 14% were unemployed. In contrast, among non-disabled persons, 88% were employed and 12% were unemployed. Recognizing this, the GoG has taken measures to provide funding, equipment, training and opportunities for disabled persons using opportunities in the information based technology sector.

150. Government has adopted two strategies for increasing employment in the economy: increasing the number of jobs available through economic growth and stability and an enabling environment for investment and empowering job-seekers through relevant skills training to fill the jobs created.

151. For example, GOINVEST[38] reported the creation of 11,091 new jobs through investment projects it had facilitated from 2006-2008. The latter strategy of empowering job seekers to fill the jobs created has two critical elements: training the work-force to be adequately qualified for jobs offered and facilitating the finding and filling of vacancies by job-seekers.

1. Gender and employment

152. Significant strides have been made in reducing disparities at the primary and secondary levels; however considerable disparity exists at the tertiary level,[39] with more than twice as many girls as boys enrolling and graduating at this level. This is a logical follow-on from the trend of greater numbers of girls sitting for secondary school leaving examinations. As such more girls are meeting and taking advantage of the entry requirements for university. However, as in other countries in CARICOM, the high level of female participation and performance in education is not sufficiently reflected in an equivalent status at the economic level.

153. With new and emerging sectors and the modernization of some of the traditional sectors, new and improved technical skills are needed to enhance greater participation and integration into the economy. Access to education and training and the provision of incentives and support systems to facilitate the entry of women into the workforce and self-employment include a variety of training programmes offered by the Guyana Women's Leadership Institute; the Board of Industrial Training; the Institute for Distance and Continuing Education (IDB/IDCE)' the Single Parent Assistance Programme[40]; the

[38] GO-INVEST is the statutory agency which acts as a one stop shop to facilitate new investments both local and foreign.

[39] "Tertiary" education in Guyana is available at the two campuses of the University of Guyana, Cyril Potter College of Education, and 5 Technical Institutes, Guyana School of Agriculture, 3 Nursing Schools, and privately run facilities where access to postsecondary degrees from Cambridge University is available and such others as the Harry Went School of Aeronautical Engineers and the Aviation School.

[40] The Single Parent Assistance Programme offers day care vouchers to subsidize the cost of childcare, supports the participation of single mothers in the workforce and provides training in selected 'child-

National Training Programme for Youth Employment Programme; and the Youth Entrepreneurial Training Programme, as well as a multitude of privately-run training programmes in the wider society.

154. The average unemployment levels mask the male-female differential, as 15% of females are unemployed, whereas 10% of males are unemployed (See Table 4). Women's participation in the economy lags significantly behind males. At an overall unemployment rate of 10.72% in 2006, there is a significant disparity between male unemployment rates at 9.18% and 13.95% for females.[41]

155. The proportion of women who are own account workers and contributing family workers has increased from 21% in 1991 to 33% in 2006 for own account workers and 35% in 1991 to 52% in 2006 for the latter category.[42]

156. This trend is also reflected in the increase in the number of contributors to the National Insurance Scheme. According to the 2009 annual report of the National Insurance Scheme, a total of 12,481 new persons were registered as employed, 54% male and 46% female, and 75% between the ages of 16-24 years of age, and 20% were between 25-39 years of age. These new entrants represented an increase in 10% over the previous year. The overall average age was 23 years.

157. The number of contributors to the NIS who were self-employed person also showed an upward trend between the years 2005-2009 with 68% males and 32% females, with, 82%% being under the age of 45. The average age of new self-employed registrants was 35 years of age. According to the same report (as of December 31, 2009) 119,355 were active registrants.[43]

158. As reflected by the 2002 census data, a total of 22.7% of women are employed in the categories of "legislators, senior officials and managers," "professionals," and "technicians and associate professionals" which previously were male-dominated occupations. Of these, 46.4% of the women reported as "professionals" and "technical and associate professionals" respectively, were employed in "education" and "health and social work" industries employed mainly as teachers and nurses. Overall, women comprise more than 60% of the public service. This reflects a major step towards progressively integrating women into the work force.

159. Women in the unionized agricultural production comprise 20% of the work force, the largest percentage work in the Guyana Sugar Corporation.

160. Women are also engaged in their own plots or family owned plots in agricultural production.[44]

161. In 2012, the Guyana Women Miners Association was formed by women who own mining (gold) enterprises to represent their own interests while at the same time being members of the Guyana Gold and Diamond Miners' Association. A recent report by the group stated that there were 700 women employed in this sector. This development

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friendly' professions, such as cosmetology, catering, information technology, office procedures, childcare and care for the elderly including areas such as driving heavy vehicles.

[41] See Guyana Bureau of Statistics, HBS (2006).

[42] Data collection excludes women declared housewives who do business in their home such as hairdressing, catering, sewing or cultivating greens, rear chicken and eggs and sell in the markets on a daily or weekly basis. These person though engaged in economic activity are not incorporated into employment data as they are classified as unemployed.

[43] For more information on the National Insurance Scheme see www.nis.org.gy.

[44] There is no gender disaggregated data of women who are owners of agricultural production but women are owners of rice producing farms as well as small and medium agricultural plots.

illustrates the movement of women into non-traditional areas of economic activities and their greater participation in economic life.

162. In recent times, women also make up a significant percentage of employees in the private security firms, what is now referred to in the Caribbean as the "feminization of the private guard services."

163. It should be noted that 50.7% of unemployed Guyanese women reported "in-home duties," as their main activity in 2002 compared to 34.1% in the labour force. In contrast, 78.5% of men were employed and only 4.9% reported in-home duties.

164. Of note, is that the employment statistics do not capture women who are engaged in economic activities in the home as they consider themselves and are classified as "Unemployed". The GoG acknowledges that the informal work performed by women is not captured in official statistics. These trends can serve to depress the overall estimate of the total employment-to-population and gender ratios.

165. The findings of the Guyana Occupational Wages and Hours of Work (GOWHW) Survey 2010 may be of interest to the Committee. These findings are detailed in the Tables 5-10 in the Appendix I and illustrate a positive shift in women's status and participation in the labour force in comparison to the 2002 Census data.

166. The attained educational level of the 2246 persons who were sampled from the 9263 respondents indicate that 29% gained primary education, 52% completed secondary school education, 9% obtained technical education, 8% attained tertiary level education and 2% did not indicate. Thus, tertiary and technical levels account for 17%. It is important to note that more men than women have been consistently noted in the total samples for these 3 years. Men out-number women at the primary and technical education levels and for those not stated for the 3 years. However, it should be noted that in 2009, women attained a greater proportion at the secondary education level and in 2008 at the tertiary level. Overall, the highly skilled workers were almost entirely in the services sector whereas low skilled workers – those with basic or no formal education work - were in the agricultural sector (refer to Tables 5-10).

2. Ethnicity and Employment

167. With respect to employment variations along ethnic lines, African Guyanese are predominantly engaged in the services (particularly the public sector) sector, construction[45] and the extractive sector and to a lesser extent the agriculture sector. In contrast, Indo-Guyanese are engaged in equal shares among services and agricultural sectors. The vast majority of the Amerindians have been traditionally engaged in the agricultural and mining sectors, however, increasingly with more equitable access to primary and secondary education they are entering in increasing numbers in the disciplined services, health and education sectors, and community tourism and hospitality.

3. Geography and Employment

168. Based on the level of economic activity and availability of jobs, there are differentials in unemployment levels in the ten (10) Administrative Regions. The unemployment levels are higher in interior regions versus those on the coastal belt. In the past the majority of economic activity was on the coastal belt predominantly in agriculture, public sector, services sector whilst mining and forest related activities were in the interior regions.

[45] See Table 3.

169. However, with improved economic growth and economic stability the emerging sectors and new investments in the interior are reducing these differentials. For example, the call centre industry referred to earlier are spread out over 3 Administrative Regions and one in the capital city.

170. With increased trade with neighbouring countries and new investments in oil and natural gas exploration and alternative energy projected over the next 2 years, coupled with a deliberate programme of transformative economic activity in the Amerindian communities who live in the riverain and interior of Guyana, these differentials are expected to change dramatically.

171. The two fibre optic cables being installed will improve connectivity and encourage more investments and greater efficiency and more equitable access to services throughout the country.

172. The "Grow More Food" Campaign and the diversification of the agricultural sector programme is starting to have an impact on the expansion of the sector, opening up of more land and creating jobs, as well as increasing the demand for new skills including technical and ancillary services to support this expansion.

4. Employment and Guyana's CARICOM Membership

173. It is important to note that Guyana is a member of CARICOM and as such, submits to the Revised Treaty of Chagaramus and other CARICOM treaties such as the Freedom of Movement of Skills. Guyanese citizens and other CARICOM nationals are free to relocate and seek employment in CARICOM member countries.

174. Article 45 of the Revised Treaty declares that member states commit themselves to the goal of free movement of their nationals within the community. Furthermore, the CARICOM Single Market Economy (CSME) mandates free movement of services, capital and people throughout the market. The free movement of persons, skills, and labour entails the right of a CARICOM national to seek and engage in gainful employment in all CARICOM member states as either a wage-earner or non-wage earner without the need to obtain a work permit in the member state of which he/she desires employment.

175. Pursuant to Article 32.5(A) of the Revised Treaty a person is regarded as a national of a member state if such person is a citizen of a member state, or has a connection with that state of a kind which entitles him/her to be regarded as belonging to or, if so expressed, as being a native or resident of the state for the purposes of the laws relating to immigration. Those persons entitled to free movement of labour must be engaged in some kind of legal activity in the CARICOM Single Market Economy. The agreements which have been made with CARICOM member state governments in regards to free movement of persons can be divided into two broad categories: (1) the free movement of skills and labour; and (2) the facilitation of travel, that is, uninhibited movement.

176. CARICOM nationals, spouses and direct dependent family members have the right to move with or join the principal migrant in Guyana and the freedom of movement which includes the freedom to leave and re-enter Guyana without seeking permission.

177. Guyana has enacted legislation to facilitate its treaty obligations on the free movement of skills and labour and travel as well as the free movement of goods and services.

5. Right to Access Technical and Vocational Guidance and Training Programmes

178. The GoG recognizes and has undertaken steps to comply with ICESCR to achieve the full realization of the right to work which include technical and vocational guidance and training programmes, policies and techniques to achieve steady economic, social and

cultural development under a broad framework designed to safeguard fundamental political and economic freedoms of the individual.

179. Guyana ratified ILO Convention No. 142, which relates to Human Resource Development. With respect to women, it should be noted that Article 149F(2) of the Guyana Constitution instructs that every woman is entitled to access for academic, vocational and professional training equivalent to that enjoyed by their male counterparts.

180. In keeping with the ICESCR and the right to development, Guyana has expended on average 9.6% of its annual budgetary allocations over the last 4 years on Education which includes post-secondary education; this does not include budgetary allocations to other agencies (identified below) for training programmes for drop outs, low achievers and academic and technical training opportunities offered by other ministries/agencies.

181. The Ministries of the Public Service, Education, Health, Labour, Human Services and Social Security, and Culture, Youth and Sport, and the Guyana Police Force and the Guyana Defence Force offer a range of skills training programmes at the post-secondary-technical and vocational, and tertiary levels that are either fully financed or majority financed by the government.

182. At the post-secondary level, there are several state-run institutions – three Nursing schools, the Guyana School of Agriculture, the Cyril Potter College of Education and in service teacher training programmes in each region and 5 Technical Institutes in 5 Administrative Regions, and the Felix Austin Police College. Approximately 6029 students enroll annually in these programmes. These are all offered at minimal or no costs.

183. The University of Guyana (established in 1963) offers certificate, diploma, degree and post graduate programmes. The University has a Law School, a Medical School and a School of Earth Studies. The student population is majority female. Approximately 1000 graduate each year. It should be noted that at the post-secondary levels, students have access to the government Student Loan programme at very concessional rates.

184. The Public Service Ministry offers a range of in-service training programmes for public servants. Graduate and post-graduate opportunities in Guyana and overseas are open to the public.

185. Guyana has especially benefitted enormously from the Guyana-Cuba bilateral agreement in technical and post-graduate training in Cuban universities in medicine, agronomy, engineering, etc., where 300 doctors are being trained. Between the years 2002 to 2008, 962 students were male and 464 were female from all 10 Administrative regions with 15% from the interior regions.

186. The Guyana-India Technical Cooperation agreement provides for scholarships for Guyanese in a range of technical (short-term and long term) and academic programmes.

187. The Ministry of Education funds and manages:

(i) The Carnegie School of Home Economics;

(ii) Five (5) technical institutes in 5 Administrative Regions;

(iii) The University of Guyana (2 campuses);

(iv) The Institute of Distant and Continuing Education and other distance learning programmes) in 2 Administrative Regions;

(v) The Cyril Potter Teachers' College (includes in-service training and distance learning programmes in the coastal and interior regions).

188. The Ministry of Health offers a range of technical training programmes:

(i) Three (3) Nursing schools in 3 Administrative Regions;

(ii) Ancillary technical hospital staff below the degree level;

(iii) Community health workers;

(iv) Support staff in vector control, tuberculosis, HIV/Aids, rehabilitation assistants, etc.[46].

189. The Ministry of Labour's National Training Programme for Youth Entrepreneurship (NTPYE) trains and retrains persons between the ages of 16-29 in skills needed in the economy.[47] The Labour Ministry's workforce training programme has benefitted substantially from a 40% funding increase, from G$86M in 2009 to G$120M in 2010. Additionally, the Board of Industrial Training (BIT)[48], in 2010, projected that it would complete training 1,750 persons across the various Administrative Regions; 1,500 youths and 250 single parents. Over the last 4 years since the introduction of this special programme (March 2010), 2300 youths have already graduated.

190. The Ministry of Human Services and Social Security's Single Parent Assistance Programme introduced in 2009 and mentioned earlier in this report has also continued to contribute to the greater economic independence and empowerment of poor and vulnerable women[49] In 2010, over 500 women had accessed training and grants.

191. This report has referred earlier on the Women of Worth microcredit facility in 2010, which has benefitted 1000 women in its first year with small loans with marketable skills training.

192. The Youth Entrepreneurial Skills Training Programme (NYESP) is managed by the Ministry of Culture, Youth and Sport (MCYS) which offers residential and non-residential skills training programmes as well as similar programmes for juvenile offenders in the sole juvenile offenders centre, the New Opportunity Corps. Approximately 500 youths from all ten Administrative Regions benefit from such programmes annually. The MCYS also runs the E.R. Burrowes School of Art which produces most of the top artists and artisans/crafts persons of the country.

193. The Guyana Police Force and the Guyana Defence Force annually recruit persons into these two main security agencies. Recruits come from all 10 regions and are both male and female. Unlike in the health and education training programmes the majority of recruits to these two agencies are still predominantly male.

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[46] The Open Doors Centre (Ministry of Health) (National Vocational Training Centre for Persons With Disabilities) trains and graduates specially skilled people.

[47] Due to the demands of the emerging construction sector, there was an urgent need for over 300 Heavy Duty Equipment Operators. In collaboration with the Ministry of Public Works, a Training Programme to address this need was introduced in 2009. In Linden, a secondary town, 117 completed their training. It is important to note that such persons are earning in excess of $4500 GYD ($23 USD) per day. Moreover, additional resources have been allocated to improve the capacity of the BIT and the Central Recruitment and Manpower Agency (CRMSA) under the Ministry of Labour.

[48] The Industrial Training Act Cap 39:04 establishes the Board of Industrial Training (BIT), which specifically promotes technical and vocational training. This Board oversees and certifies apprentices within Training institutions. To this end, BIT manages an apprenticeship programme and provides training opportunities for youths, thereby equipping them with marketable skills in a variety of occupations.

[49] Guyana's report to the UPR in May 2010 refers to this programme.

194. The GoG has worked diligently to reduce unemployment levels amongst the youth with skills training and assistance with job placement with special focus on the poor, vulnerable and disadvantaged. However, much still has to be done; it requires a consistent and dedicated injection of financial, human and technical resources to fill the skills needs of the country and to provide employment and business opportunities for its citizenry.

195. It should be noted that there are a broad range of technical skills training opportunities offered in the private and the non-governmental sectors. These are mainly located in 6 of the Administrative regions.

196. The challenge at this time is to meet the demand for the new skills with an increase in the number of persons being trained and retrained for the emerging sectors – construction, tourism, information, and diversified agriculture and new sectors of oil exploration, and alternative energy (hydro and solar).

Article 7 – Just and favourable conditions of work

197. The GoG recognizes and has undertaken to ensure the right of everyone to the enjoyment of just and favourable conditions of work. This right ensures, in particular, remuneration, which provides all workers, as a minimum, with fair wages and equal remuneration for work of equal value without distinction of any kind, especially in respect to women being guaranteed conditions of work which are not inferior to those enjoyed by men, with equal pay for equal work.

198. In accordance with Article 22(1) of the Guyana Constitution, every citizen has the right: (1) to be compensated according to the nature, quality and quantity of his or her work; (2) to equal pay for equal work or work of equal value; and (3) to just conditions of work.

199. With respect to women, as mandated by Article 149F(1) of the Guyana Constitution, every woman is entitled to equal rights and status as that enjoyed by men in all domains including economic and social life. Furthermore, Article 149F(2) instructs that every woman is entitled to equal access for opportunities in employment, remuneration and promotion of social, political and cultural activity, as that which is enjoyed by men.

200. It is important to note that GoG has signed and ratified the Equal Remuneration Convention No. 100. In light of this and to comply with this Convention, GoG has enacted The Prevention of Discrimination Act No. 26 of 1997 This Act mandates the prevention and elimination of discrimination in employment, training, and recruitment of workers as well as membership within professional organisations.

201. The Act specifically states that it will be unlawful for an employer to discriminate against an employee on the grounds of:

- Terms and conditions of employment afforded to an employee;
- In conditions of work or occupational safety and health measures;
- In the provision of facilities related to or connected with employment;
- In denying or limiting access to opportunities for advancement, promotion, transfer or training or to any other benefit, facilities or services associated with employment.

202. Additionally, the Act provides that every employer and every person acting on behalf of such employer shall be obligated to pay equal remuneration to men and women performing equal work of equal value. "Equal remuneration" is defined as the rates or remuneration that has been established without differentiation based on the grounds of sex. "Work of equal value" means work equal in value in terms of the demands it makes in

relation to skill levels, duties, physical and mental effort, responsibility and conditions of work.

203. The Act defines, prohibits and protects against employment discrimination in all possible spheres that could affect the social, physical and mental well-being of an individual.

204. Of note is that the Prevention of Discrimination Act also provides for the prevention and punishment of sexual harassment at the workplace. In an effort to prevent sexual harassment, several workplaces have adopted sexual harassment policies.

1. A decent living

205. Guyana does not have a national minimum wage policy. However, the GoG is committed to ensuring decent living conditions for workers and families by establishing minimum rates of wages for workers in those categories of employment not covered by collective Labour Agreements. These include workers in the private sector in the hospitality services, bakeries, manufacturing, etc.

206. There are two main labour federations; the Guyana Trade Union Congress and the Federation of Independent Trade Unions, whose affiliates and the Guyana Public Service Union represent organized labour.

207. The Trade Union Recognition Act was finally passed in 1997 and amended in 2010.

208. Additionally the GoG through the Ministry of Labour facilitates when required employer-unions setting rates of pay for their workers.

209. The GoG sets the wages of those in the public sector based on negotiations with the public sector unions and an assessment of the status of the economy and capacity to pay.

210. The GOG removed the income tax requirements for persons who earn below a certain salary and this is adjusted when required; in 2011 the income tax threshold was set at G$ 480,000 (USD 2400) per annum or G$ 40,000 (USD 200) per month, up from $420,000 per annum in 2010. This released 38,000 tax payers from the income tax net in Guyana valued at approximately G$ 19 B. In 2012, this was further increased to G$600,000 (USD 3000) per annum or G$50,000 (USD 250) per month. This has further added 21,000 persons who will not pay income and who will have an additional G $3 Billion disposal income for their use.

211. Furthermore this amount is deducted from all taxpayers who earn above this and the rest is calculated at 33 1/3% of the taxable earnings. Thus this level of tax relief given indirectly to all tax payers allows for all to benefit whilst reducing direct revenue earning of the government.

212. As a developing country the wage rates are within available resources, however, the state provides numerous social safety nets to assist the poor and unemployed or those who fall into the lowest pay levels.[50]

213. In addition to the measures introduced by the government in 2007 in response to the global fuel and food crisis, which has been elaborated on earlier in this report, the GoG as a result of the global financial and economic crisis in 2008, introduced the temporary cost of living (COL) adjustment; the gross pay of public servants, teachers and members of the disciplined services increased in a range from 10% to 24%. In addition an across the board salary increase of 6% including state pensioners was given in the same year to the same

[50] These social safety nets are developed in other sections of the report.

categories of workers. This helped to cushion the impact of the recession due to increase in cost of fuel and other imports.

214. Due to the level of economic growth over the last 4 years, the GoG in 2011 gave an 8% salary increase across the board to public servants, public sector employees, teachers and members of the disciplined forces.

2. Safe and healthy working conditions

215. The GoG recognizes and has undertaken to provide for the right of everyone to the enjoyment of just and favourable conditions of work. This right ensures, in particular, safe and healthy working conditions for employees.

216. The Occupational Safety and Health Act No. 32 of 1997 provides the regulatory framework for the Ministry of Labour (MOL) which oversees and institutes compliance through onsite visits and other measures such as a provision of a complaints mechanism for workers or others to make reports. The MOL releases quarterly statistical reports which include status and incidents of work related accidents, inspections, etc.

217. It is important to note that the Ministry of Labour has sought to regulate conditions for the safety of employees in general and of employees exposed to dangerous elevation levels and mining hazards in particular. [51] In 2009, 3000 inspections were carried out and there was 60% decline in the number of work-related accidents.[52]

218. Employee complaints totalled 262 against employers for breaches in legislation and conditions of employment compared to 441 during the previous quarter. This represents 40% decline.

219. The Ministry of Labour annually organizes and executes several activities to mark the observance of Occupational Health and Safety Month nationally. Additionally, awareness campaigns are held regularly using television and radio programmes in every region to highlight and sensitize the general public about the importance of observing health protocols in the workplace.

220. With respect to alcohol and drug abuse at the workplace and in comn unities, the GoG, has requested all government agencies, employer organizations and employee organizations to implement the Workplace-Worker's Health Promotion and Weli-being at Work Programme which focuses on the promotion of health among all workers, their families and within the community through preventative and assistance programmes in the areas of drug and alcohol abuse, tobacco, HIV/AIDS, stress and workplace violence. To address each of these concerns, especially drug and alcohol abuse, GoG has utilized the International Labour Organization's comparative advantage approach, coupled with social dialogue with employers, employees, and NGOs, which has successfully resulted in the implementation of workplace and community initiatives.

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[51] The two sectors in recent years that have recorded the highest work-related accidents are the agricultural and mining sectors.

[52] During January to March 2009, there were 204 accidents and 1 fatality, compared to 483 accidents and 2 fatalities during the previous quarter – this represented 58% decline in recorded accidents and 50% decline in industrial fatalities. These recorded industrial accidents occurred mainly in the agricultural sector. The major causes were stepping on / striking against objects; these occurred mainly in Administrative Regions # 3 and # 4; the majority of those injured were male due to those sectors listed.

3. Equal opportunities for promotion

221. The GoG recognizes and has undertaken to ensure the right of everyone to the enjoyment of just and favourable conditions of work including equal opportunities for everyone to be promoted to appropriate higher levels in their employment, subject to no considerations other than merit.

222. In keeping with the constitutional provisions and the rules of the Public[53] and Teaching Service Commissions[54], promotions are based on seniority and competence and vacancies are advertised in the services as well as in the media including the government's new website www.eprocure.gov.gy Appointments made by these bodies are then published in the newspapers and in the Official Gazette.

223. Where there are complaints in the public sector in relation to any promotion, the complainant can approach the relevant Service Commission and be given the right to be heard. The worker can also appeal to the Public Service Appellate Tribunal.[55]

224. In the private sector, if there is no union, the worker can go to the Ministry of Labour for redress. Where there is a union and in keeping with the nature of the collective bargaining agreement, the union can seek redress.

4. Rest, Leisure and holidays

225. The GoG ensures the right to rest, leisure and reasonable limitations of working hours and periodic holidays with pay, as well as remuneration for public holidays.

226. Article 23 of the Guyana Constitution provides for the right to leisure, mandating that every citizen has the right to rest, recreation and leisure. The GoG, in collaboration with co-operatives, trade unions and employers' organisations and business entities guarantee this right by prescribing hours and conditions of work and by establishing holiday schedules which accounts for employees' cultural, educational and health expectations.

227. This is supported by several labour statutes that cover rest, leisure, periodic holidays with pay and remuneration for public holidays which are regulated by:

(a) The Holidays with Pay Act No. 6 of 1995 provides for the granting and regulation of holidays with pay for all categories of workers. A recent amendment, Act No. 21 of 2009 to this Act provides for annual vacations;

(b) The Labour Act Chapter 98:01 and The Factories Act 95:02 govern the issues of rest, leisure, periodic paid holidays and remuneration for public holidays.

228. Furthermore, reasonable limitation of working hours are covered by various statutes as it relates to the nature of the job and are regulated by:

(1) The Labour Act 18 of 1978 for conditions of employment for specific employees;

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[53] The nominations to the Public, Police and Judicial Commissions are managed by the Parliamentary Standing Committee on Appointment of Members to Commissions (constitutional bodies) in accordance with the constitutional provisions. The nominees are submitted from the relevant professional bodies and the National Assembly approves these names and sends to the President who appoints the members to these bodies.

[54] The Teaching Service Commission is appointed as constitutionally directed by the President with the agreement of the Leader of the Opposition.

[55] Of note is that there has been no case brought before this body in 5 years.

(2) The Household Service Workers Act No.17 of 1980 for hours of work;

(3) The Bakeries Act, Cap 99:06 also for hours of work;

(4) The Shops Act Cap 91:04 for consolidation; and

(5) The Licensed Premises Act Cap 82:22.

229. Whilst Guyana has not provided for maternity leave in statute, maternity leave is recognized and provided in the public and private sectors. All female contributors of the National Insurance Scheme under the National Insurance and Social Security Act, Cap 36:01 are entitled to 3 months paid maternity leave where the employer pays 40% and the NIS 60% of the expectant mother's salary.

230. During 2008, the NIS registered 2,677 claims for maternity allowance which were paid while in 2009, 3,113 Maternity claims were paid to 3,065 employed and 48 self-employed women.

Article 8 – Right to form and join trade unions

1. Freedom of Association

231. The GoG has undertaken to ensure the right of everyone to form and join trade unions of their choice, subject only to the rules of the organization concerned, for the promotion and protection of their economic and social interests.

232. To this end, the GoG affirms that no restrictions may be placed on the exercise of this right other than those prescribed by law as necessary in a democratic society in the interests of national security or public order or for the protection of the rights and freedoms of others. As such, Article 147(1) of the Guyana Constitution provides for the protection of freedom of assembly, association and demonstration. This right entails among others, the right to form or join trade unions for the protection of one's own interests. Furthermore, Article 149 C provides for the right to participate in the decision making and management processes of the state, whereby no one shall be hindered in the enjoyment of participating through co-operatives and/or trade unions.

233. There is no law that is prejudicial to the Freedom of Association and Protection of the Right to Organise Convention.

234. In accordance with the Trade Union Act Cap 98:03, any seven persons can form and register a Trade Union. That Act also regulates other activities incidental to Trade Unions in Guyana.

235. The Trade Union Recognition (Amendment) Act No. 1 of 2009 provides for the participation of employers' associations and trade union federations [56] to sit on the Trade Union Recognition Board. The newly configured Trade Union Recognition Board convened 9 meetings in 2010 and 6 new applications were received from unions seeking certification as recognized majority unions. Seven surveys were conducted resulting in unions being certified.

[56] The Trade Union Act previously only allowed for one trade union federation. There are presently 2 federations representing unionized workers.

2. Right to establish national federations/international trade union bodies

236. The GoG has undertaken to ensure the right of trade unions to establish national federations or confederations and the right of the latter to form or join international trade-union organizations.

237. To this end, Article 147(3) of the Guyanese Constitution instructs that neither an employer nor a trade union shall be deprived of the right to enter into collective bargaining agreements. The right to establish national federations or confederations and the right to form or join international trade union organisations is also recognized in that Article.

238. At present, there are two national Trade Union Federations in Guyana and the Guyana Public Service Union which belongs to neither of these:

(1) The Guyana Trade Union Congress (GTUC), which represents seven trade unions with a total membership of 15,000; and

(2) The Federation of Independent Trade Unions of Guyana (FITUG), which represents 4 trade unions with a total membership of 35,000.

239. Women participate freely and equally joining with men in trade unions. The President of the GTUC in 2010 was a woman for the first time and women sit on the executives of all unions.[57]

240. The individual unions in the sugar sector, the public service, the postal and the telecommunications and bauxite sectors belong to international trade union bodies.

3. Trade unions freely function

241. The GoG has undertaken to ensure that the right of trade unions to function freely subject to no limitations other than those prescribed by law.

242. Specifically, in accordance with Article 147(4) of the Guyana Constitution, the restrictions placed on the right of trade unions to function freely are those that are necessary in furtherance of democracy and in the interest of; national security, public safety, public order, the protection of public health or morals and the protection of the rights and freedoms of others. There are no hindrances to the activities of the trade unions as guaranteed by the constitution and the trade union laws.

243. Article 38G (3) of the Guyana Constitution as amended instructs that no public officer shall be subject to sanctions of any kind without due process of law.

244. In addition, the Ministry of Labour's complaints desk receives, mediates, and, intervenes when necessary, in conflicts involving employees. In 2009, the Labour Department resolved over 900 of the 1,100 complaints that were received; collecting over G$38M on behalf of the workers in outstanding debts from errant employers.

4. Right to strike

245. The GoG has undertaken to ensure that the right to strike is exercised in conformity with the laws of Guyana.

246. To this end, Article 147(1)(2) of the Guyana Constitution instructs that excluding by one's own consent, no person shall be hindered in the enjoyment of their freedom to strike.

[57] The labour movement names representatives on the Women and Gender Equality Commission, the Rights of the Child Commission and the Ethnic Relations Commission.

247. In addition, The Termination of Employment and Severance Pay Act 1997 instructs that employees' participation in industrial action in conformity with the provisions of any law or Collective Labour Agreement will not be grounds upon which the imposition of any disciplinary action or dismissal shall be made in regards to a labour strike.

248. The amendment to the Public Undertakings and Public Health Services Arbitration (Amendment) Act No. 14 of 2009 stipulates the sectors/agencies defined as essential services and protects the provision of essential services to the population during industrial actions.

249. During the 1st Quarter of 2007, there were thirty-six (36) recorded strikes and twenty-nine during the 1st quarter of 2008, however there was a small decline during the 2nd quarter of 2008 with only 24 strikes. Total strikes for 2010 amounted to 255 in comparison with 304 for 2009, also showing a decline. Aggregate man days lost for 2010 totalled 97,143 compared to 130,171 for the previous year, costing a total loss of wages of G$195.2 M in 2010 versus G$273.9M in 2009.

250. The right to strike is protected under certain limitations mentioned above but from the information provided it is shown that the trade union movement is free to exercise their rights (See Table 11).

251. The GoG recognizes this Article does not prevent the imposition of lawful restrictions on the exercise of ICESCR rights on members of the armed forces, police or the administration of the State.

252. Specifically, members of the Disciplined Services (Guyana Defence Force, the Guyana Police Force, the Guyana Prison Service and the Guyana Fire Service) are not allowed to form Trade Unions. All of the Disciplined Services have professional associations.

253. The GoG recognizes and affirms its commitment to the realization that nothing in Article 8 of ICESCR shall authorize GoG to take legislative measures which would prejudice the guarantees provided for in the International Labour Organization Convention of 1948 concerning Freedom of Association and Protection of the Right to Organise. Accordingly, the GoG affirms its commitment to the guarantees provided for in that Convention and submits that none of its laws prejudice any and all such guarantees provided for therein.

Article 9 – Right to social security

254. The Government recognises the right of everyone to social security and social insurance.

255. The GoG has adopted a rights-based approach to the entitlements relating to social security, which include:(1) comprehensiveness; (2) universality; (3) adequacy and appropriateness; (4) non-discrimination; and (5) respect for procedural rights. Moreover, the GoG has provided social security at different levels, including; social assistance to the poor and vulnerable, and social insurance based on contributions of working relations stipulated by national law and state funding, which extends to all persons in a comprehensive manner.

256. To this end, Article 149B of the Guyana Constitution instructs that every public sector worker shall be entitled to an absolutely enforceable right to any pension or gratuity granted to them under the provision of any law or collective agreement of any kind. Articles 213-215 of the Guyana Constitution also protects pension entitlements. Specifically, pursuant to Article 213(1), any benefits to which the Article applies, in relation to any person who has been granted, or who is eligible for the grant of such

benefits, will be effective on the relevant date or at a time when any subsequent law that is not less favorable to that person. Article 214 provides for the power of Commissions in relation to pensions.

257. The GoG has a comprehensive affordable national insurance scheme that adheres to the universally accepted principles of accessibility, inclusiveness and public administration. The National Insurance Scheme (N.I.S.) is governed by the National Insurance and Social Security Act, Cap 36:01, which provides for compulsory social insurance for employees in the public and private sectors as well as self-employed persons between the ages of 16 and 59. It also provides for, on one hand, long-term benefits with regards to; old age, invalidity and survivor-benefits as well as short-term benefits relating to; sickness, extended medical care, maternity benefit, funeral benefits, industrial benefits such as workers' compensation, disablement and industrial-death benefits and survivors' benefits.

258. It is important to emphasize that the N.I.S. as a social security organisation at its core, undertakes: (1) to establish and maintain a system of Social Security so that adequate income is secured in lieu of earnings when the capacity for such is interjected by illness or accidents; (2) to provide remuneration for retirement of suitable ages, sudden death of the primary wage earner or for unique expenses concerning birth or death; and (3) to ensure that money designated for future payments is invested in furtherance of Guyana's maximum advantage.

259. In accordance with Article 24 of the Guyana Constitution, every citizen has a right to social care at a specified age and in the event of disability. The Poor Relief Act, Cap, 36:02, seeks to address the needs of the less fortunate and makes financial assistance available to such persons. Section 23(1) of that Act instructs that any and all elder or infirm person, among others, who are impoverished and unable to earn sufficient livelihood for their maintenance, shall be entitled to relief from the funds available to the District Boards of Poor Law Commissioners. The Ministry of Human Services and Social Security is identified under the Act, to provide various forms of social assistance.

260. Additionally, the GOG provides for universal adult pension (known as the Old Age Pension Programme)(OAPP) under the Old Age Pensioners Act (Cap.36:03) to all citizens 65 years and over regardless of if they are beneficiaries of the NIS pension scheme or any other scheme. The means test was removed in 1995 and the only criteria is achieving the required age. This has increased over time and its most recent was in 2011 to the equivalent of $ 50 USD per month. In 2009, 43, 598 benefitted from this programme and at the end of 2010, there was a slight decline to 42,536 beneficiaries.

261. Additionally, under the CARICOM Single Market Economy, a CARICOM national who is a paid employee, must be insured in the member state where employed and must therefore make contributions to the respective Social Security Organisation of that member state. Such persons are entitled to the same benefits as the nationals of the host country.

Article 10 – Protection of the family

262. The GoG recognizes and has undertaken to afford the widest possible protection and assistance to the family, as the primary social unit responsible for the care and education of dependent children. Specifically, in Guyana, the definition of family also embraces the extended family[58] rather than simply the nuclear family.

[58] Extended family may not even be defined purely by blood relations but a wider catchment of persons and their relatives associated over a long period.

263. The GoG's Poverty Reduction Strategy Programme and its social safety nets pay particular attention to the poor and vulnerable (women, children, elderly, Amerindians, and the differently-abled). Special annual budgetary and policy interventions by the GoG to provide housing and water for low income and indigent families is amplified under Article 11 whilst the introduction of universal school uniform vouchers and school feeding programmes to ensure that children go to school is also developed in greater detail under Article 13 of this report.

264. The National Commission for the Family focuses on what is in the best interests for the welfare of the family, primarily considering, emotional and economic needs, education and guidance, and health of the entire family. The Commission also assists with the disabled and elderly. Overall, the Commission functions to foster and improve family life in Guyana and in 2006 developed a Family Code.

265. The GoG is committed to the establishment of a Family Court. The construction of a new building dedicated to the Family Court has been completed almost 2 years ago and is awaiting the appointment of the judges. After a wait for 2 years, the new rules of that court by the Rules Committee of the High Court was gazetted and laid in the National Assembly in the second quarter of 2012.This Court is expected to invigorate the manner in which family law is practiced in Guyana resulting in more judicious, sensitive and effective resolutions of matters relating to children and women.

266. In accordance with the statistics of the 2002 Census, there were 382,648 dependent children and of these those younger than 15 years old constituted 69% of the population. Approximately 28.5% and 71.5% of the dependent children resided in female-headed and male-headed households respectively. The percentage of dependent children decreased proportionately to the ascending age of children in male-headed households, and contrariwise, increased proportionately to the ascending age of children in female-headed households. Recent surveys do not indicate any shift in these trends.

267. According to the CARICOM Situation Analysis of the 2002 Census, the economic dependency ratio for Guyana was 187 dependents per 100 working persons, and dependent children accounted for more than half of this ratio. In either of these cross-classifications, enrolment of children in female-headed households was slightly higher compared with households headed by males.

268. The GoG guarantees the right for men and women to enter into marriages and establish a family with both of their full consent. The Marriage Act Cap 45:01 and its 2006 amendment governs marriages, and in accordance with Part III of the Act, children younger than 16 years old are not allowed to enter into legally enforceable marriages while those 16 or 17 years old may enter into such marriages, provided they are granted the consent of their parents, or they attain leave from the Chief Justice. Of great importance, no child can be forced into marriage and in the event of such a union, the marriage is deemed null and void.

269. In accordance with the Criminal Law (Offenses) Act Cap 8:01, as amended by the 2006 Age of Consent Act, the age of consent for sexual activity and marriage is 16. According to the 2006 Statistical Bulletin of the Ministry of Home Affairs, there were 4,340 marriages which primarily occurred among individuals between the ages of 20 and 29, for males and females. Males accounted for 42.58% while females accounted for 38.0% of this age group.

270. According to 2002 Census, approximately 27.3% of the population of legally marriageable age in Guyana has remained unmarried; 57.5% were currently married –

either legally or via common-law[59] marriage, and 13.2% were either divorced, separated, widowed, or were no longer living together. The singulate mean age at first marriage (SMAM) was estimated as 21.4 for females and 26.5 for males in 2002 at the national level, and varied significantly at the regional level, with interior Administrative Regions exhibiting a lower range for females between 18-21 years of age.

271. In 2012, the Civil Law (Rights Of Persons In Common Law Unions) Act No. 10 of 2012 removed one of the remaining obstacles to common law spouses inheriting property or assets due to death.

272. Child maintenance is provided for by law and the Ministry of Human Services and Social Security assists mothers in obtaining support from errant fathers. The new Custody, Care, Guardianship and Maintenance Act 2011 was enacted which repealed an outdated statute. This new Act provides the legislative framework to address this issue.

273. In addition to social safety nets and investments in health, education, water and housing described in this report, recognizing that extreme poverty still affects 18% of the population, the GoG introduced specific programmes which target the very poor:

(i) There is a Public Assistance Programme (PAP) whereby persons can apply through their District Poor Law Guardians for financial assistance where they are caring for disabled or ill person(s)/dependent(s); single parent/grandmother caring for children, or persons who are HIV/AIDs infected and unable to work. The disbursement is for 6 months after which a case has to be made for continued support. Family caregivers caring for disabled, and those with terminal illness are not deregistered. At the end of 2010, 17,751 persons from all 10 Administrative Regions had benefitted under this programme;

(ii) The Difficult Circumstances Programme is a "one off" assistance to a family, for example, assistance with funeral benefits, spectacles, special drugs, victims of fire, or other personal tragedy. At the end of 2010, 1,124 persons had benefitted. This was a slight decrease from 2009 of 1,203;

(iii) Through partnership with Habitat for Humanity and Food for the Poor, GoG reserves a specific number of houselots in the government housing schemes for the very poor who would not be able to pay the subsidized cost of a houselot nor build. These organizations then build standard houses for these families and arrange repayment at very concessionary rates with which they are able to comply;

(iv) The elderly can apply for a waiver of their electricity and water rates based on level of usage and this policy has also contributed to reducing poverty amongst the elderly (especially females as there are the largest percentage in the post 65 age group) and cushioning the impact of the fuel crisis on the poor.

1. Special protection for expectant workers and mothers

274. The GoG recognizes and has undertaken to afford special protection to working mothers during a reasonable period both before and after childbirth with paid leave or leave with adequate social security benefits during the course of such periods. Specifically, working mothers are entitled to thirteen weeks maternity leave and in the event of complications for an additional thirteen weeks.

275. The National Insurance Scheme pays two-thirds of the amount due to the expectant worker while the remaining third is paid by the employer. Mothers can also claim medical

[59] Common law unions are legally recognized and account for a significant proportion of persons in union. Property divisions in common-law marriages due to death or separation is the same as for legally married persons.

expenses, a percentage of which is reimbursed by the NIS. See Article 7 herein for further data on beneficiaries in 2009.

276. With respect to maternity protection in regards to working conditions, the Occupational Safety and Health Act of 1997 instructs that an employer shall, upon notification by a female employee, of impending pregnancy, acclimate the working conditions to suit the special needs of such employee and ensure that she is not subjected or exposed to the use of chemicals or substances or other similarly situated work conditions which are detrimental to the health and well-being of either her or her unborn child. Moreover, although such aforementioned conditions and hazards may constitute the ordinary course of business therein, where alternative tasks and duties are readily available which do not involve such conditions and hazards, such tasks and duties shall be duly assigned to such employees, and upon the completion of the pregnancy, that employee shall have the right to return to all previously assigned duties. This applies in equal force to both public and private sector expectant employees.

277. As previously noted, the Guyanese Constitution prohibits discrimination on the basis of pregnancy. Additionally, in accordance with Section 8 (1)(a-c) of the Termination of Employment and Severance Pay Act of 1997, family responsibility, marital status and a female employees' pregnancy and attendant circumstances do not constitute reasonable causes for dismissal or for imposition of disciplinary actions.

278. Expectant working mothers are entitled to time off from work with pay to attend primary health care neo-natal clinics. The public health sector provides free ante-natal and post natal care and treatment. In the public sector mothers are able to obtain time off to take their children to primary health care centres to have their children immunised. Immunization of children under the age of 5 years is free. Guyana offers a range of vaccines for children of preventable diseases and its immunization levels are very high.[60]

279. It should also be noted that the Maternal and Child Health Programme[61] of the Ministry of Health caterers to over 70% of all expectant mothers and 80% of all children under the age of 5 years. The Basic Nutrition Programme (BNP) and the Nutritional Sprinkles Programme, set out to reduce malnutrition and anemia in pregnant mothers and infants aged 6 to 24 months, benefits 20,000 women and children. Recent evaluation (2010) of this programme has shown a reduction in anemia by 34% and a 45% reduction in malnutrition.

280. The GOG also provides free HIV/Aids and Sexually Transmitted Disease testing of all expectant mothers at all public health centres and if found to be infected the patients are placed on treatment. Guyana's report to CEDAW 2010 provides data on the number of beneficiaries of the free Prevention of Mother to Child Transmission Programme and the impact it has had on reducing the number of infected babies.

281. It should be noted that although there are private hospitals mainly located in the capital city, more than 70% of the babies born annually in Guyana are delivered free of cost in the public hospitals and centres.[62]

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[60] Please refer to Guyana's report to the CRC April 2010 which provides details of primary health care programmes and the successes and challenges.

[61] Primary health care clinics throughout the country include village health huts in Amerindian villages and in communities in the far interior are available free of cost. Over the last 18 years, new clinics were built where none existed before, as well as the expansion of services of others in existence, and rehabilitation and modernization with solar panels, back up electricity systems, and adequate supplies of drugs, staff and equipment.

[62] Guyana's 2011 report on MDGs on maternal health.

282. The proportion of births attended by skilled health personnel increased from 85.6% in 2000 to 96% in 2008 and has contributed to the safer deliveries in Guyana. The issue of maternal mortality is addressed under Article 12(2)(a) in this report.

2. Special measures of protection and assistance of children, including work

283. The GoG recognizes and has undertaken to afford special protection and assistance on behalf of all children and youth without any discrimination for reasons of parentage or other conditions; to protect them from economic and social exploitation; to punish by law their employment in work harmful to their morals or health or which is dangerous to life or likely to hamper their normal development; and to set age limits below which the paid employment of child labour is prohibited and punishable by law.

284. To such ends, in accordance with Article 149E(1) of the Guyana Constitution, all children, whether born in or out of wedlock, are born equal, have equal status and are entitled to equal rights. Article 149(2) of the Constitution defines discrimination and was referred to earlier on in this report. In accordance with Article 34 of the Constitution, it is the duty of the State to enhance the cohesiveness' of the Society by eliminating discriminatory distinctions between classes, town and country and between mental and physical labour. Several other constitutional provisions outlaw discrimination including: Article 49 that outlaws discrimination on the grounds of race. Further Article 149(d) provides for equality of persons before the law; Article 149(E) for equality status and 149(F) for the equality of women.

285. The Rights of the Child Commission functions with office facilities, staffing and an annual budgetary allocation.[63] This Commission's mandate is exclusively the promotion and protection of the rights of children in Guyana.

286. It is also noteworthy that in 2009, four (4) new pieces of legislation[64] were enacted to Promote and protect children's rights:

- The Child Care and Protection Agency Act No. 2 of 2009;
- The Protection of Children Act No. 17 of 2009;
- The Adoption of Children Act No. 18 of 2009;
- The Status of Children Act No. 19 of 2009.

Two additional pieces of legislation were enacted in 2011:

- The Custody, Care, Guardianship and Maintenance Act No. 5 of 2011;
- The Child Care and Development Services Act No 12 of 2011.

All these bills were sent to Parliamentary Special Select Committees before being approved by the National Assembly.

287. The Employment of Women, Young Persons and Children Act, Cap 99:01, sets out the procedures relating to the employment of women, young persons and children. This Act prohibits the employment of children under the age of 15 and provides safeguards for the protection of children in employment such as prohibiting the employment of children between the ages of 15 and 18 in hazardous work or work that could be considered

[63] Guyana submissions to the UPR process in May and September 2010 highlighted the manner in which this body is appointed and its role and functions are provided for in the constitution.

[64] Guyana's report to the CRC April 2010 details the consultative process in the enactment of these new and modern children's statutes as well as Guyana's report to the UN UPR process in May and September 2010.

injurious to their health, safety or morals. This Act also prohibits employers from employing persons below the age of 18 during evening and night hours. Employers /persons found in breach of this law are prosecuted.

288. The GoG asks the Committee to note that although there are cases of child labour the numbers have declined significantly as a result of the almost universal enrolment of children in nursery and primary school. This has reduced the opportunity for children under the age of 11[65] from being used as child labour. This has been a major achievement for Guyana since 1992 when only about 70% of children of school age were enrolled at the primary level. In addition the numbers of children attending secondary school have increased from 45% to almost 80%. The largest number of drop outs is male and this tends to occur mainly in the 15 year old age group.

289. Over the past few years, the Ministry of Labour has made significant strides in addressing and reducing the problem of child labour. In 2003, the Ministry of Labour established the National Steering Committee on Child Labour in keeping with Guyana's treaty obligations. Other measures such as the National Plan of Action for Orphaned and Vulnerable Children and the Ministerial Task Force on Trafficking in Persons have been reported in Guyana's State Party report to the CRC in April 2010.

290. To further ensure that there are no obstacles to children attending schools, and to focus on some pockets of poverty, the Ministry of Labour (MOL) in 2010 introduced free transportation for 300 children on the Soesdyke/Linden Highway who live in distant and scattered housing to attend primary and secondary school daily[66]. This is one component of the larger ILO/GOG TACKLE project which involves the Ministries of Labour and Education and other stakeholders aimed at addressing truancy, child labour and ensuring children stay in school and complete their education. In 2010, the annual work programme budgeted G$21M and includes a nutrition component, after school care (assist with homework), parenting workshops and psycho-sociological support for both parents and students. Sensitization outreaches in several administrative regions have been held to educate the public about child labour.

291. The Ministry of Labour inspects workplaces to ensure persons under 15 years are not being employed.

Article 11 – Right to an adequate standard of living

292. The GoG recognizes and has undertaken efforts towards ensuring the right of everyone to an adequate standard of living for themselves and their family, including; adequate food, clothing and housing, and to the continuous improvement of living conditions within the country's available resources. GoG re-affirms its commitment to take appropriate steps to ensure the realization of this right and recognizes the essential importance of international cooperation based on free and informed consent.

293. In 1999, Guyana defined the national poverty line as the line below which persons are unable to meet both their food and non-food needs.[67] Officially, Guyana uses the Household Budget Survey to measure poverty using per capita household expenditure. To calculate a per capita household expenditure, a consumption aggregate was estimated using

[65] Children graduate from primary school and enter high school in Guyana between the age of 11 and 12.

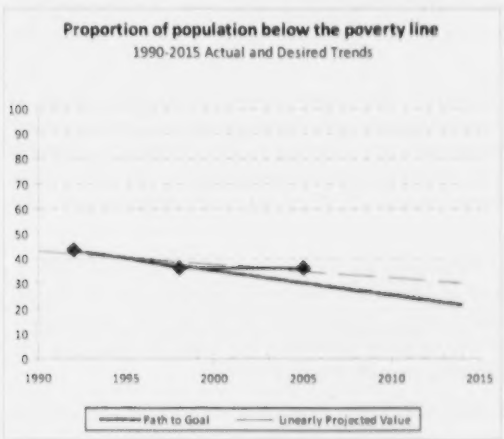
[66] Children had to walk 2 ½ miles to and from school.

[67] Quantified as G$ 7,639.00 per person per month or US$ 1.50 per day using the nominal exchange rate or US$ 2.50 per day based on the real effective exchange rate in 1999.

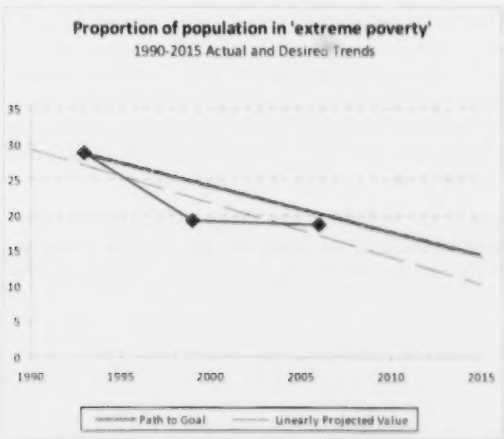
data on direct household expenditures; included is the value of home-produced foods, the value of payments in kind, housing expenditures including the rental value of owner-occupied housing, and expenditures on non-consumption items such as gifts, contributions, and interests. The extreme poverty line is based on the normative food basket (2400 calories per male adult-rural) provided by the Caribbean Food and Nutrition Institute. A person is considered extremely poor if the per capita household expenditure is lower than the extreme poverty line and moderately poor if the per capita household consumption is lower than the moderate poverty line.

294. Between 1993 and 2006, the poverty gaps contracted by 29 percentage points for the moderately poor and by 41.6% for those in extreme poverty (see Graphs 1.A.1 and 1.A.2 below). It should be noted that in order to meet the MDG target for poverty reduction, the extreme poverty rate, Guyana must reduce further by 4 percentage points by 2015. National averages, however, mask disparities between urban, rural and interior areas.

Graph 1.A.1



Graph 1.A.2



Source: Guyana Bureau of Statistics.

295. The GoG conducted a Household Income and Expenditure Survey (HIES) in 2007 and a Multiple Indicators Cluster Survey (MICS) was carried out in 2006. The HIES and MICS provided updated data on the poverty reduction targets and indicators, which were in turn used to refine and have more targeted programmes at pockets of poverty. As a result of the monitoring and evaluation interventions, new statistical offices in key ministries were set up, two progress reports on the PRSP and two poverty expenditure tracking reports have been produced.

296. It is anticipated that Guyana will meet 5 of the 8 MDGs Goals. With the technical assistance of the United Nations Development Programme (UNDP), the Government completed its assessment of its MDG 2010 Status which was tabled in the National Assembly and publicly released in September 2011.[68] This report's findings are elaborated under Articles 12 and 13 herein for health and education.

297. The poverty rate in urban areas, at 18.7%, is already below the national rate of 21.6% required to meet this MDG target and shows a considerable improvement from 1993 when the rate was 28.9% in Georgetown and 23.1% in other urban areas. This poverty rate is comparable with the national poverty rate of Chile, the country with the lowest rate in LAC.

298. Rural coastal areas register a poverty rate slightly above the national average, at 37%, down from 45.1% in 1993. Progress has been more limited in the rural interior, where approximately three quarters of residents or 73.5% are living in either moderate or extreme poverty (only a slight reduction from 78.6% in 1993). Noteworthy is that 62% of the Guyanese poor live in the rural coastal regions, 22.6% in the rural interior areas[69] (See Table 12).

299. The most populated region, Administrative Region 4, where the capital city is situated, shows the lowest poverty level of 24.6% followed by the second populated region, Administrative Region 6, with 3 urban centres, shows a level of 28.5%. The third region, susceptible to the unpredictability of the export-oriented bauxite industry, Administrative Region 10, shows a level of 39.4% slightly above the national average.

300. The 2006 poverty assessment mentioned above highlighted that while there were no gender differentials related to poverty, younger age cohorts had a significantly higher poverty headcount than older ones. While 33.7% of young people aged 16-25 lived in poverty in 2006, only around 24% of people aged 41 and above were poor.

301. Poverty disparities are also observed in relation to levels of education. According to the HBS 2006, at the national level, it was found that being male, older, educated and employed reduced the probability of being poor (controlling for other available factors). Individuals living in smaller households and households receiving remittances also had a lower probability of being poor. Among Guyanese aged 25-65 years old with incomplete primary school education poverty rates were 41.1% in comparison with those who completed high school with 15.5% poverty level.

302. Guyana is made up of six ethnic groups including Amerindians, Africans, Indian and Mixed. National Poverty averages based on ethnicity reveal that the rate for Afro-Guyanese is at 31.6%; 30.0% for Indians; 33.7% for the mixed population, and, 77.45% for the Amerindians.

[68] Available at www.finance.gy.gov.

[69] Source, World Bank "Guyana Poverty Assessment-Accelerating Poverty Reduction" 2008 (based on 2006 survey).

303. The three major ethnic groups in the country, Afro-Guyanese, Indo-Guyanese and Mixed groups have similar poverty rates which are below the national average. Although a higher proportion of Amerindians is recorded below the poverty line than other ethnicities this reflects to a large extent the geographical distribution of this group. This is substantiated by the finding of similar poverty patterns across all ethnicities located in the rural interior. Further, application of the standard poverty assessments across all groupings may not be appropriate. For example, using the same consumption basket to calculate poverty lines in urban and rural areas leads to a skewing of the results for rural areas. In hinterland regions the availability and price of commodities play a major role in determining consumption patterns. As such, poverty profiles for Amerindian ethnic groups which are concentrated in these areas are particularly prone to measurement errors. More detailed work and sensitivity analysis need to be undertaken to correctly map poverty patterns and thereby inform appropriate and effective poverty-reducing policies. (Guyana MDG Progress Report 2010).

304. The full access to and enjoyment of human rights is a key objective of the national developmental agenda. The focus on a pro-poor pro-growth approach provides a balance between the needs of the poor and vulnerable and the imperatives to develop economic growth.

305. As stated in the background section herein, Guyana's national development strategy is premised on the Low Carbon Development Strategy[70], the Poverty Reduction Strategy[71] and the National Competitiveness Strategy supported by a range of sectoral polices and programmes dedicated to the improvement in the quality of life and the reduction of poverty.

306. The expansion and diversification of the economic base and the opening up of more employment and entrepreneurial opportunities, introduction of a green economy and modern age technology, coupled with continued social protection and social safety net programmes, and continued access to health and education, will empower people, more especially the poor and vulnerable. These will provide critical avenues to achieving pro-poor growth. The availability of more and new jobs and more entrepreneurs will provide more jobs and raise incomes and finance social spending and infrastructure. Social protection increases the productivity and employability of poor people, encouraging them to move, for example, to higher-yielding crops or businesses with brighter prospects. Empowerment helps poor people to be involved in decisions affecting their livelihoods and supports the accountability of decision makers. Policies in these areas will focus on extending beyond the formal economy and the public sector to encompass and regulate the informal economy.

307. The most recent PRS 2012-2015 builds on earlier PRS programmes and outlines a comprehensive strategy to put Guyana on track to meet the Millennium Development Goals. It continues to place great emphasis on reducing poverty and improving the quality of life for all the people but most especially the poor and vulnerable.

308. The GOG has developed major safety nets to help the poor in the society---free education, free health care, the public assistance programme, the single parent assistance programme, universal pension programme, the school feeding and the universal school uniform programmes, skills training programmes for those who did not complete education, low income housing schemes at low cost and low interest rates, expansion of water and basic utilities to larger numbers of the population and subsidized water rates for the elderly.

[70] Low Carbon Development Strategy is available on the www.gina.gov.gy.

[71] The Poverty Reduction Strategy Programme available at www.finance.gy.gov.

1. Data collection and Analysis: Monitoring and Evaluation

309. The GoG recognizes that among the factors limiting the effectiveness of the PRSP[72] has been and still is to a certain extent the insufficiency of data concerning monitoring and evaluation of the outcomes of the programmes and impact of these interventions and special projects on the poor. The GoG in partnership with international institutions and organisations as well as the international community has put in place mechanisms to evaluate the progress achieved in effectively combating poverty. The World Bank, IDB and UNDP have assisted the GoG to strengthen the institutional capacities to manage, monitor, and evaluate the country's progress in implementing the Poverty Reduction Strategy Programmes.

310. Since 2004, the IDB has been supporting the GoG through a US$3.5 M loan to strengthen the Guyana Bureau of Statistics and the statistical capacity of the ministries to generate and manage a social database to inform policy making. In 2004, a Monitoring and Evaluation Unit supported by the World Bank and UNDP to build the institutional framework and capacity for national M&E was established at the Office of the President (OP). In 2008 this unit was transferred to the Ministry of Finance.

311. The United Nations Population Fund (UNFPA) provides institutional strengthening of the Bureau of Statistics in the area of demography, census analysis and reporting, data collection system and the conduct of population censuses and surveys. The GoG through the Bureau of Statistics has had a contractual engagement with the US Census Bureau to directly support the Bureau.[73]

312. Additionally, Regional PRS Monitoring Committees in the 10 Administrative Regions of Guyana have played an important role with monitoring the implementation of the PRSP. Under the new PRSP 2011-2015, efforts will continue to enhance the role and functions of these committees.

313. The Ministry of Health's Health Information System and Monitoring and Evaluation (M&E) system was developed to enable networking of clinic, laboratories and the HIV Secretariat.

314. The evidence shows that resource allocation is broadly in line with priorities of the PRSP and the overall pro-poor approach to the national development agenda. While such poverty analysis is very useful in assessing the prevalence and depth of poverty in Guyana, it should be considered in the context of other indicators. For example, improvements in access to health-care and education, increases in the proportion of people who own their own home, and increased access to water and sanitation, all have a positive impact on the welfare of the population, but are not captured by income and consumption based indicators.

315. As a result of these findings, special pro-poor children focused programmes address the issue of child poverty. An indication of the success of these programmes is in the area of reducing malnutrition and under-nourishment. Nutritional levels have improved from the 1997 levels of 11.8% among children under the age of five (GoG/UNICEF Micronutrient Study, 1997) exhibiting levels of under-nourishment and stunting to 6% of children in 2008. More recent data are available for a six-year period, 2003-2008, points to improvements in child nutrition showing a decline for under age five children who suffer from moderate to mild malnutrition from 8.8% in 2003 and to 6% in 2008. The prevalence of severe malnutrition in under-5 children is comparatively low, with a 0.4% prevalence

[72] The PRSP 2010-2015 is available on www.finance.gy.gov. where earlier reports are also posted.

[73] The CARICOM facilitates the national censuses in member countries. The last was undertaken in 2002. Guyana will be holding its next census in 2012.

rate in 2008. The trends in moderate and severe malnutrition suggest that this MDG target has already been met.

316. Gender differences do not appear to play a role in the distribution of poverty. However, the GoG recognizes that due to the fact that 29% of the households are headed by women there is a greater poverty impact on children in these households. As a result, the GoG has generated special and targeted interventions to reduce their vulnerability and poverty (these are elaborated on throughout this report).

317. Major increases in the social expenditure budgets have been allocated to regions where there are higher incidences of poverty. Budgetary allocations of social spending to poor regions in the interior where most of the Amerindian population is concentrated has increased by 18-25% between 2003 and 2006, far above the national average of 5%.

318. In relation to the Amerindian population and communities, concerted and targeted interventions have been implemented to reduce poverty through access to education and health care, communication and transportation and transformative economic activities which the communities determine for their integration into mainstream economy.

319. The Ministry of Amerindian Affairs coordinates and oversees relevant government policies and represents issues affecting Amerindian communities. The Amerindian Act (2006) provides for detailed rights in relation to the Amerindians, especially land rights, and the GoG has granted legal communal land titles to 134 Amerindian communities.

320. Under the LCDS, the Guyana REDD+ Investment Fund (GRIF) has committed funds for the continuation of the demarcation and titling of communal land to Amerindians, the provision of solar power and transformative economic projects developed by the communities in consultation with the government to expedite their integration into the national economy.

321. The terrain in the hinterland sometimes makes access to, and egress from, Amerindian communities challenging, and the GoG has initiated special development programmes in these communities, including an Amerindian Development Fund to support economic development; a Hinterland Scholarship Program; improvement in infrastructure, especially roads; and the construction of primary health care facilities, with the expansion of basic health programs to all communities. Noteworthy is the fact that every Amerindian village has a nursery and primary school and that there are now 13 secondary schools with dormitories in the 4 Administrative Regions in the interior. The Ministry of Amerindian Affairs (MOAA) in collaboration with the Ministry of Agriculture and the National Agricultural Research Institute developed the National Hinterland Secure Livelihood Programme in order to advance Amerindian economies. This programme facilitates agricultural projects such as passion fruit and citrus cultivation (with a marketing arrangement with a local juice manufacturing company TOPCO), cassava, pineapple and ginger cultivation projects, beekeeping, aquaculture and crab projects in several communities. One community successfully exports their products to the neighbouring island of Barbados.

322. Substantial and dedicated budgetary allocations to health and education sectors, housing and water, and social safety nets expending illustrate GOG's commitment. Data has been provided in the introduction of this report (Table 2). The detailed submission on health and education[74] are covered in this report under Articles 12 and 13.

[74] See Background section of this report for detailed breakdown. The efforts of the GoG in the education sector are addressed in Article 13 herein.

2. Right to adequate housing

323. Article 26 of the Constitution enacts that every citizen has the right to proper housing accommodation. Article 19 enacts that every citizen has the right to own personal property which includes such assets as dwelling houses and the land on which they stand.

324. The GoG has placed emphasis on affordable housing with titles to land especially for the poor and low income earners. In1994, the government introduced an ambitious housing programme that placed public land distribution at subsidized low costs to low income households. The housing programme was formulated to be consistent with continuing efforts to reduce poverty, improve the quality life of Guyanese by making shelter more accessible and affordable, opening up land and developing planned human settlements as well as creating the conditions for the establishment of more secondary towns. The right of access to property has empowered thousands of families and provided with security of tenure and access to loans etc., as they have a collateral asset. The GOG has distributed 82,000 houselots from the commencement of the low income housing schemes and 2009 and continues to prioritize the expansion of access to housing to the lowest income group.

325. Guyana government's housing programme is a good example of a pro-poor pro-growth model. This programme has played a key and critical role in the social and economic development of Guyana.[75]

326. In the last 5 years (2006-2011) alone the state investments in the housing sector totalled G $19.4 B for infrastructural development of 44, 900 houselots which benefitted a total number of 184,000 persons. This has had more and additional multiplier effects – improving citizens' well-being, dignity, and self-esteem; reducing poverty; providing shelter, security of tenure and safer environments; access to loans at low interest; development of the local manufacturing and construction industry; and employment.[76]

327. In 1995, the Squatter Settlements and Depressed Areas Upgrading Project jointly funded by the GoG and UNDP (1995-1998) was introduced. The project primary objective was to regularize and upgrade selected squatter settlements in various urban areas, improve services physical and social infrastructure and also improve /upgrade the institutional capacity of the Central Authority to deal with squatting matters in depressed areas.

328. Government has taken considerable steps to improve the position of those who by virtue of dire circumstances have been forced to seek shelter by occupying unplanned settlements. Whilst trying to support people in this situation so far as possible, Government must also acknowledge that there are some sites on which unplanned settlement cannot be tolerated. Government has therefore taken a dual approach to managing unplanned settlements.

329. The Central Housing and Planning Authority (CHPA) began by assessing all informal settlements in the country. The majority of these areas (74%) were targeted for supportive interventions, and others were identified as zero tolerance areas. Monitoring and enforcement of zero tolerance areas[77] is being increased, while in those areas targeted for supportive intervention, regularisation activities are being advanced to guarantee security of tenure for the occupants and to improve their living conditions.

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[75] This report has illustrated that the construction sector is now one of the emerging sectors in 2010.

[76] See U. P. R. Report (Guyana), May 2010, pages 7 and 8.

[77] Zero tolerance areas related to squatting areas located on road, sea-defence or drainage reserves, such as the banks of canals, (critical to Guyana's flood prone coast) in that they cannot be regularised and are instead relocated with the help of the government to government low income housing schemes.

330. According to the Central Housing and Planning Authority (CH&PA), in 2010 reported that many of the squatting areas were in varying stages of being upgraded towards the attainment of housing scheme status; 154 of these have been brought under the regularisation programme and were being transformed into regularised housing areas.

331. The squatter settlement regularisation programme's objective is to provide standardized house lots and legal title of land to the occupants. Since 2001, 5,529 families hold title to their land and property for the first time. The GoG partners with non-governmental organisations (NGOs), such as Food for The Poor and Habitat for Humanity, build low income houses for the extremely poor.

332. Noteworthy is that a major component of the housing and squatter regularization and upgrading programmes is the construction of infrastructure such as an internal drainage systems and structures, macro drainage (a must in Guyana due to the low lying coastal belt) and, access bridges, water distribution networks, access and secondary roads, drilling of wells and the provision of electricity.

333. The "One Stop Shop" initiative is a public/private partnership in which an allottee is able to access advisory services, loans, as well as access construction materials and furniture. The achievement of the target of allocating 17,000 house lots by September 2011 is well on its way, as 10,000 lots were distributed by the end of 2010. The Central Housing and Planning Authority (CH&PA) operates under The Housing Act Cap 36.20 and the Town and Country Planning Act Cap 20:01, and works in collaboration with other agencies and elected local government bodies, to regulate the housing sector in Guyana. It has the overall responsibility for planning, promoting and managing development of all human settlements and administering the National Housing Policy of Guyana. The Housing Department of the CH&PA (composed of the Community Development Section as well as the Lands and Conveyance section) has the overall responsibility to formulate and monitor national housing projects and programmes with the aim of improving the quality and quantity of the nation's housing stock. It is also responsible for the administration of existing government housing schemes. The CH&PA falls under the portfolio of the Minister of Housing and Water.

334. There are other measures available to acquire land for agriculture and developmental work which is addressed further on in this report.

335. The state owned Guyana Sugar Corporation (GUYSUCO), is the single largest employer after the public service with 18, 500 workers. The Sugar Industry Labour Welfare Fund [78] provides loans to their workers upon application to extend and repair their houses. The SILWF Committee also provide welfare services and housing loans to enhance the quality of life for sugar workers. Originally the workers did not have title to the land only the house, however, this has changed. In the reporting period 2,870 housing titles were granted by SILWF.

336. The CH&PA also granted 8,321 free hold titles for houselots in rural agricultural areas and 2,200 were granted free hold titles for houselots under the Ministry of Agriculture Land Development Scheme.

337. In April 2011, following negotiations between the government and the Guyana Teachers Union (GTU) another five-year comprehensive package agreement was concluded to better teachers' benefits and conditions, and ultimately enhance the quality of teaching in Guyana. With this new agreement, teachers will receive a 5% increase in salaries and

[78] SILWF is an old arrangement common to sugar producing countries designed to provide housing for sugar workers on estates.

scholarships will become available for them to pursue higher education. In addition to that 100 house lots will be reserved for teachers yearly, and $40 million will be added to the current $200 million revolving housing fund for teachers to assist them in building their homes. Duty free concessions which were reserved for only certain categories of head teachers will now be revised to cater to more categories of teachers.

338. According to the Guyana Poverty Reduction Strategy Paper (2008), Guyana continues to make progress in owner occupied houses especially with the category of the poor and vulnerable. By 2008, more than 3 quarters of the poor had their own dwellings with adequate rooms for occupants and bathrooms comparable to the non-poor. This was attributed to the accelerated housing schemes with infrastructure provided and land costs subsidized by the GoG, lower affordable interest rates from the "not for profit" New Building Society. In 2010, other commercial banks joined in offering low interest loans for housing.[79]

339. Average household size for 2002 is 4.1 down from 4.7 in 1991. The regional distribution of average household size is similar to the national average, except for Regions 1, 7, 8 and 9 where household size averages 5 or more persons per household (with Region 1 averaging almost 6 persons). Region 6 has slightly smaller household sizes (3.9 persons).

340. According to the CARICOM situation analysis of the census data, the number of households has increased to approximately 183,000 from 1991 to 2002 – an 18.5% increment. This means that slightly more than 2000 new households were established per year in that period. This figure has vastly changed and expanded since this report. From 2002 to 2010, this has increased significantly by approximately 60,000 leading to a boom in the construction sector and the opening up of jobs and an expansion of the manufacturing sector. The impact of this development has been addressed earlier on in this report under Article 7 in greater detail.

341. Before land for residential purposes are allocated, a topographic survey is carried out on the area, land use survey and analysis. The Community Development Section of the Housing Ministry addresses the process of regularization of areas of physical occupation.

342. Through a consultative process, it is submitted that the GoG does not infringe on human rights through forced evictions: the removal of individuals, families or communities from their homes, land or neighbourhoods, against their will, directly or indirectly attributable to the State.[80]

343. Article 142(1) of the Constitution enacts that no property of any description shall be compulsorily taken possession of, and no interest in or right over property of any description shall be compulsorily acquired, except by or under the authority of a written law and where provision applying to that taking of possession or acquisition is made by a

[79] All the local and foreign owned commercial banks as of end 2010 offer low income low interest loans for the housing programmes.

[80] Consequent to upon an IDB/GoG loan to improve/expand the Ogle Aerodrome facilities in 2002, 23 squatters were identified as being within the free zone. As such, in accordance to the loan agreement, the squatters were to be relocated. The CH&PA and the Ministry of Public Works held consultative meeting with the squatters and government provided houselots in a nearby scheme; these were accepted and they were relocated with government assistance. This approach is replicated in the management of squatter regularization and resettlement. Another example, in 2002, GoG also facilitated the orderly relocation of the residents of Tiger Bay a depressed city community located in the Central Business District of the capital city to one of the government housing schemes with financial assistance. In 2009, over 300 squatter families in the city were relocated, due to the area being identified for major electrical transmission lines, to housing schemes with assigned houselots and assistance to move their homes.

written law requiring the prompt payment of adequate compensation. Article 142(3)(iii) enacts that nothing contained in Article 142 shall be construed as affecting the making or operation of any law for the compulsory taking of possession in the public interest of any property, or the compulsory acquisition in the public interest of any interest in or right of over property where that property, interest or right is held by a body corporate established directly by law for public purposes which moneys provided by the parliament or by any legislature previously established for the territory of Guyana have been invested.

344. The most recent amendment to the Title to Land (Prescription and Limitation) (Amendment) Act No. 6 of 2011 provides that S3 (1) "tile to land may be acquired (a) by sole and undisturbed possession, user or enjoyment for not less than 12 years" but (2) state land, ... is expressly excluded and shall not be acquired by prescription through adverse possession."

345. The Land Lord and Tenant Act Cap 61:01 and the Registration of Land Lords Cap 61:02 regulate issues in regards to tenancy agreements. The Act provides for situations for forfeiture for non-payment of rent. S.11 enacts that forfeiture for rent is only possible; the High Court of Judge shall have the power to give relief. The Act provides that nothing shall prevent the principles of equity applicable to re-entry or forfeiture from being taken into account.

346. The GoG thus has made a number of interventions in recent years to facilitate property acquisition by low income groups through government housing schemes in all 10 Administrative Regions. Another major component of these schemes has been the provision of infrastructure, such as water, electricity, roads and drainage. A third key component has been facilitating access to finance.[81]

3. Access to water and electricity

347. In accordance to Article 36 of the Constitution, the well-being of the nation depends upon preserving among other things pure water and eco-systems.

348. According to the 2002 census, 74.2% of the households in Guyana had access to drinking water compared with 50.1% in 1991. The latest 2006 survey data shows that Guyana is ahead of the MDG target with 91% of the households having access to safe drinking water. Regional assessments found that the coastal regions recorded the largest margins of improvement compared with the interior regions.

349. In respect to the provision of water to the hinterland communities, in 2004, the Hinterland Water Strategy was approved. This Strategy seeks to ensure that safe water is available or supplied to 80% of all settlements in the hinterland areas, through sustainable and cost effective ways. To expedite this Strategy, and in addition to the Guyana Water Inc, Hinterland programme, the GoG proceeded to build shallow wells in the Amerindian communities.

350. In 2004, 46.9% of the national population had access to treated water.

351. On June 1, 2002, The Guyana Water Inc (GWI), established under the Company Act No. 29 of 1991 was created as a result of amalgamating the Guyana Water Authority

[81] In 2000, legislation was enacted to provide for mortgage finance institutions to grant mortgages at lower interest rates over longer repayment periods. Thereby allowing Mortgage finance to gradually become more affordable (low income households can now borrow $2 million (GYD) = $10,000 USD to construct a two-bedroom house and repay $13,757 GYD) = $60 USD per month at 5.5% interest over twenty years) and more accessible. All financial institutions now offer affordable loans to low income individuals compared to two in 2000.

(GWA Act Cap 55:01 of 1972) and the Georgetown Sewage and Water Commission (GS&WC Act No. 19 of 1929). The Company ensures an efficient, sustainable and financially viable water sector delivering high quality of service.

352. It ensures safe, adequate and affordable water for improved public health and sustainable development, in line with the national developmental agenda, the PRSP and the MDG Goals to halve the population without access to water by half by 2015. GWI is implementing a ten year strategy for the water sector (2001-2011).

353. To increase public awareness programs, the Public Relations Department of the GWI has undertaken activities to educate the public on the economic use of water, quality assurance as well as preservation. A website was launched in August 2006, and the site improved communications between the company, consumers and the media. Each Year, the GoG engages in public awareness activities to celebrate World Water Day.

354. Under the Ministry of Agriculture, the Caribbean Water Initiative Project (CARWIN), funded by the Caribbean International Development Agency was launched in 2007. The Water Resources Section of the Hydrometerological Service is responsible for monitoring and recording hydrological data to ensure that water is of a sufficient quantity and high quality for the country's economic and social needs. One of the primary functions is to construct and maintain the hydrological (surface and ground water) network in Guyana. By 2008, the network had a total of 17 recording stations that monitor water level, continuously and 12 staff gauge stations.

355. The water sector received support in the reporting period from a number of donor agencies such as DFID[82], the European Union[83], the Caribbean Development Bank,[84] and the European Investment Bank[85] The World Bank facilitated the provision of access to treated water through the development of treatment facilities and distribution systems and supports the ongoing water sector modernization and reform process in Guyana. These contributions have been utilized under a wide range of inputs including capital improvements, engineering services, operations and maintenance support, human resource development, institutional development and project management. The sustainable School Water, Sanitation and Hygiene (WASH) programme, funded by UNICEF, has contributed to improvements in the most impoverished areas.

356. Government has achieved the MDG target of improving access to basic sanitation. Expansions in access to basic sanitation will have a direct impact on a number of other MDG Goals and to overall economic and social development. The use of improved sanitation facilities has had a positive impact in reducing the burden of disease, thereby contributing to progress in reducing child mortality and improving maternal health.

357. In 1991, census results showed that 96.9% of households had access to sanitation and most recently, preliminary DHS data points to an improvement to almost universal access at 99%. Measures of the population using improved sanitation facilities are problematic since this data has not been systematically captured in previous surveys. The most recent, and preliminary, survey results for use of improved sanitation facilities in

[82] Funded consultancy services in squatter settlements as well as the Guyana Water Supply Technical Assistance and Rehabilitation Project.

[83] The Pouderoyen Water Supply Major Scheme.

[84] The La Bonne Intention Water Supply Major Scheme, a project for the rehabilitation of two treatment plants at Better Hope and Mon Repos and the construction of transmission mains to 14 villages on the East Coast Demerara).

[85] This supports the Rosehall Water Supply Major Scheme, a project that comprised a credit of $7.8 M Euros for consultancies and works.

Guyana show that 84% of households are using toilet or latrine facilities which are categorised as improved. This is close to the prevailing regional averag. for use of improved sanitation facilities. There have been decreases in the level of sharing with the proportion of households using shared sanitation facilities declining from 16.4% in 2002 to 9.1% in 2009.

358. The expansion in household access to sanitation can be accounted for by a number of factors, including government expansion of its housing schemes which are mandatorily required to be outfitted with individual septic tanks, stricter monitoring and enforcement of building codes and the posting of environmental health officers to the 65 Neighbourhood Democratic Councils, 6 Municipalities and 10 Administrative Regions. Higher income levels of the population and the increased availability of private waste disposal facilities have also contributed to the move towards complete coverage in the country.

359. It has been noted however, that in the drive to expand access, it has been more difficult to do so in hinterland areas. Fifteen percent of households in the hinterland regions did not have access to sanitation facilities in 2002, but this has been reduced to an estimated 7% in 2009. The increased availability in hinterland areas can be attributed to government's support for the construction of latrines or septic tanks as well as sensitisation campaigns about the use of improved sanitation facilities.

360. Challenges which remain are the migratory nature of communities in some areas, the logistical difficulties of setting up sanitation facilities[86] and the consequent additional cost factors of operating and maintaining such facilities.

361. In respect to the provision of water and adequate sanitation, it can be concluded that housing has become increasingly modernized from 2000 onwards.

362. In respect to electricity, according to the 2002 census data, 69% of the households country wide had access to irregular supplies of electricity. Nonetheless data from the Guyana Light and Power Company (GPL)[87] responsible for regulating electricity indicate that more than 75% of households in Guyana are now actively billed for electricity consumption.

363. The Rural and Unserved Electrification Programme completed in 2005 provided access to electricity to over 17,000 rural and poor households. All the new government housing schemes and regularized squatting schemes detailed in the section above are connected to electricity. The GoG provided solar systems to 4 large Amerindian communities in 2010 and under the LCDS GRIF, funds have been allocated to expand this programme to all the Amerindian communities. Health centres in the interior are powered in the main by solar systems.

4. Right to adequate food

364. Guyana, a primary producing agricultural country, recognizes the fundamental right to be free from hunger. The GoG has undertaken individually and through international cooperation the measures, including specific programmes which are needed to improve methods of production, conservation and distribution of food by making use of technical and scientific knowledge; disseminating knowledge of the principles of nutrition and

[86] Due to a high water table and distances between houses in interior locations.

[87] GPL is a state-owned power company and the only one providing this service along the coastal communities where the majority of the population lives (Administrative Regions 2, 3, 4, 5, 6). Separate systems provide service to communities in four townships in the interior (Administrative Regions 1, 7, 8, and 9) and Region 10.

developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources.

365. To this end, Article 18 of the Constitution enacts that the land is for social use and must go to the tiller. Article 19 enacts that every citizen has a right to own personal property which includes assets as farmsteads, tools and equipment.

366. With the global food crisis, it is submitted that Guyana has been able to ensure food security for its citizens and recognizes the opportunity for the further expansion and diversification of the agriculture sector.

367. Guyana is endowed with a variety of agricultural environments, which include high fertile soils in the coastal areas[88] used extensively for rice and sugar-cane production – with large parcels of flat irrigated land that are used for fresh fruits and vegetables, diary and meat production.[89] Additionally Guyana has intermediate savannahs with untapped opportunities to produce beef, milk, mutton, citrus, corn, cashew nuts, legumes, peanuts, soybeans, dairy products and orchard crops. The savannahs have large tracts of brown soils that are well drained and responsive to fertilization, creating an ideal environment for the application of high technology and the establishment of medium/large scale agriculture operations for food and bio-fuel production to support local requirements and for export. The agricultural sector contributes 35% of the GDP.

368. The coastal belt is 7-9 feet below the sea levels and thus the country has developed a complex drainage and irrigation system (started over 200 years ago under Dutch occupation) and spends enormous sums of monies on annually maintaining it in order to control water – to let the water off the land from the interior and to keep the sea water out (seawalls, sluices, pumps)[90] through the use of an extensive canal system with sluices along the coast and the islands which occupy one of its largest river. This system was neglected and badly undermined before 1991.Over the last 18 years, sizeable public funds have been expended by the GoG to restore, expand and maintain this critical network to Guyana's viability and sustainability as a nation.

369. In December 2005 to February 2006, Guyana suffered a natural disaster along the coastal areas where 300,000 people, homes, lands, farms and business were flooded due to unprecedented rainfall (highest recorded in a century) which damaged 67% of the economy. Again in December 2006 there was another natural disaster by flooding but the impact was less severe than in 2005 but nevertheless impacted on the economy and exports. Thus Guyana's concerted efforts at the international arena on climate change and global warming is not an academic exercise it is about the survival of a nation and the planet earth.

370. At the regional level too, an agreement was signed for a Regional Radar Weather Warning System that helps reduce the extent of damage suffered by the people of the Caribbean from natural disasters.

371. Guyana produces the main staples it needs to fulfil its population's nutritional well-being – it produces rice, sugar, fish, meat, chicken, pork, ground provisions, vegetables, fruit and cooking oil. Rice is the main staple for the Guyanese populace and a key export earner.

372. The President Jagdeo Initiative in Agriculture (known as the Jagdeo Initiative) provides a blue print for immediate food production and sustainability. This Initiative in

[88] The coastal areas whilst being very fertile areas, being created over thousands of years from the deltas of the Amazon, Orinoco and Guyana's own large rivers.

[89] Guyana has been declared free from foot and mouth disease in 2001.

[90] In 2011, for instance, 10 km of sea defence was upgraded and repaired costing G$2.7 Billion.

Agriculture is a strategic policy framework that sets the agenda for the repositioning of agriculture in the CARICOM region by identifying key binding constraints that must be addressed as the region embarks on the process of increasing food security and food sovereignty. The policy addresses both input and output ends of the process of food production. It sets the conditions for capital formation through the modernization of the regulatory framework to create a pull factor towards investment in the agricultural sector. The policy views agriculture as a medium in transforming rural communities and as a critical impetus in rural development planning and reorganizing. It focuses on sustainability of the sector through purposeful planning in relation to economic, social and environmental factors.

373. It is noted that the CARICOM region does not face food shortage, but rather most of the countries depend on the importation of basic food items and the cost factors affect the ability of the poor and vulnerable people to purchase food supplies. This was reiterated by President Jagdeo during his address at the 29th CARICOM heads meeting in July 2008.

374. The Jagdeo Initiative coupled with the Guyana "Grow More Food" Campaign launched in March 2008 focuses on enhancing food security and sustaining and diversifying the agricultural sector for export markets, particularly in these times of present global challenges now and for future global food security. The "Grow More Food" campaign distributed seeds and planting material and equipment to both farmers and home owners. According to the *Agro-Marketer*, a farmers' newsletter, the campaign resulted in a marked increase in crops and livestock production which was evident from the stabilization of prices locally following the onset of the global food crisis.

375. More land has been freed up for agricultural production. By 2010, 5,600 agricultural land leases were granted covering 136,000 acres of farm land to small, medium and large farmers.

376. Projects which seek to maintain Guyana's food security as well as contribute to that of the CARICOM region are centered on increasing local agricultural production. Efforts are being made to improve output in the areas of both traditional and non-traditional agriculture.[91] The Agricultural Export Diversification Project (ADP) and the Agricultural Support Services Project (ASSP) both aim to improve the efficiency and sustainability of agricultural production. Specifically targeting rural areas is the Rural Enterprise and Development Project (READ) which aims to ensure food security for poor households through training of farmers, linking farmers to markets and increasing efficiency of activities.

377. Some of the challenges are changing ecological conditions affecting weather patterns which impact on production and therefore consumption and export patterns, inadequate access to credit and insurance facilities in the agricultural sector, maintaining affordable prices and adequate access to all areas of the country, and identification of high-risk groups.

378. Noting that climate change is impacting negatively on food security and sustainable environmental health, Guyana has made positive strides to mitigate the effects of the same. Through its policy on Avoided Deforestation and the Low Carbon Development Strategy

[91] The Guyana Defence Force (GDF)Shaded Cultivation Project Grows exotic vegetables.
A collaborative experimental initiative with the Ministry of Agriculture, the project was initiated in October 2009. It utilizes shaded cultivation – a modern farming system where the crops are grown in a sheltered environment using technology to avert the direct effects of excessive rainfall and sunlight. This is used to grow non-traditional crops (suitable for a temperate climate) such cauliflower and broccoli.

model, Guyana has entered the global arena as a leading voice in the international lobby for interventions to reduce the impact of climate change especially on small developing and vulnerable countries.

379. In keeping with these objectives, in 2007, the National Climate Unit was developed within the Ministry of Agriculture as the national focal point for climate change in Guyana. In 2009, this unit was relocated and upgraded to the Office of Climate Change in the Office of the President and reports directly to the President.

380. The Ministry of Agriculture (MOA) coordinates the national agricultural policies and programmes. The Ministry's Mission is addressed through three programme areas including Administration, Crops and Livestock, Fisheries and Hydro-meteorological services. Its Planning Unit is responsible for collecting, compiling, analyzing and disseminating agricultural statistics, compiling farmers' registers by region, conducting crop production surveys, and specific studies with a view to providing information to guide decision makers.

381. Thirteen decentralized or arms – length agencies have a semi-autonomous relationship with the Ministry of Agriculture; their responsibilities include education, research, extension, rice, sugar, livestock, marketing, fisheries, land administration and drainage and irrigation.

382. The Agriculture Sector Development Unit was established in 2007 as a collaborative venture between the GoG and the IDB, to better manage and coordinate external donor funds within the agricultural sector.

383. At the country-level, Guyana is currently food-secure and the Ministry of Agriculture has recently concluded the drafting of a Food and Nutrition Security Strategy 2010-2020 which outlines the way in which the country can continue to provide availability and access to food

384. The National Agricultural Research Institute (NARI), governed by the new National Agricultural Research Institute Extension Act No. 31 of 2011, advises and develops technology for sustained agricultural production through adaptive and investigative research.[92] Agricultural Education is available through the University of Guyana and the Guyana School of Agriculture, which promote and support the development of agriculture and forestry through technological advancement and theoretical and practical training of individuals pursuing careers in agriculture, fisheries, forestry and animal health. In 2008, the Ministry of Agriculture executed training programs in sustainable forestry management for Community Forestry Organisations and Indigenous Communities under the Forestry Training Center Incorporated (FTCI).

[92] The National Agriculture and Research and Extension Institute through the different departments including Soil and Water Management Department; The Post Harvest and Agro Processing Department; the Department of Biotechnology Plant Genetic Resources and Plant Protection; the Agronomy Department; For example, the Institute conducted trials that revealed that yields were higher for plants treated with organic fertilizer (manure) than for plants treated with inorganic manure. Additionally, the Post Harvest and Agro Processing Department promotes activities that promote healthy products such as preservation techniques utilizing solar dehydration (without the use of artificial preservatives) on a number of perishable commodities such as spices, fruits, vegetables and root crops. Producers of sweets and confectionary products were encouraged to use locally produced fruit material such as banana, pineapple and fruit in their products. Methods of conservation to preserve quality such as the promotion of quick freezing technology that gives a long shelf life of 10 months for some vegetables was encouraged. In 2008, with the aid of a grant from Global Crop Diversity Trust, a concerted effort to expand the diversity of cassava depositories began.

385. The Pesticide and Toxic Chemical Controls (Amendment) Act 2007 and regulations enabled Guyana to accede to the Rotterdam Convention in August 2007. A Board established thereunder administers the registration of pesticides and toxic chemicals in Guyana and provides and promotes the necessary infrastructure required for the establishment of a comprehensive registration scheme, with appropriate educational, advisory, health care and extension services for enabling and exercising adequate control over quality, sale and usage of pesticides and toxic chemicals while ensuring that the interests of the end users and manufacturers rights are well protected. The Board regulates the import of pesticides, insecticides and herbicides, fungicides, rodenticidies and other chemicals. The Board works in collaboration with the Guyana Revenue Authority (GRA) (Customs division) to seize illegal substances. Public awareness activities on pesticides are carried out on an on-going basis and a website launched. A training Manual for Farmers was also developed and launched during the Agriculture Month. With PAHO's technical support an agricultural database for chemicals was developed.

386. The GoG has encouraged fruit/ vegetable market vendors to exercise hygienic practices through regulatory bodies in health, farmers' associations, and Guyana Marketing Corporation which lends assistance to farmers and exports farm produce.

387. In 2007, programmes to support food security included TCP/GUY/3001/D Technical Assistance In Support Of the Regional Special Programme (RSPFS) For Food Security At the country level in the area of crop management; a FAO funded project involves the production of quality seedlings and production of vegetables under shelter with the use of organic material (organoponic). Under this project, a total of 50,144 seedlings were produced in 2008. Training sessions were conducted.

388. Under technology transfer, the livestock department trained farmers and students of secondary schools in various aspects of livestock production and husbandry practices. To this end TCP/GUY/3012 – Technical Assistance In Support Of The Regional Special Programme (RSPFS) For Food Security At Country Level (Small Ruminant Development) was funded by FAO. Initiatives supported by the TradeCom (EU) and the Guerro Trust Fund (UNDP) included the Agricultural Diversification Programme, the restructured Agricultural Support Services Programme (ASSP), The Rural Enterprise and Agricultural Development Programme (READ), and the Expanding Bioenergy Opportunities in Guyana Project. The Commonwealth Secretariat has also held consultations with the GoG and several workshops in organic agriculture.

389. The Fisheries Department of the Ministry of Agriculture manages three areas of aquaculture, inland fisheries and marine fisheries. There is continuous assessment on shrimp and fish resources. The National Aquaculture Association of Guyana (NAAG) was formed in 2006.

390. The Arapaima[93] Management Plan was launched in 2007 to develop a system whereby organized fishermen will aim to increase the Arapaima population by regulating and sharing the number of Arapaima harvested, using scientific data and common sense. Under the Arapaima plan, the rules include the fact that only adults are harvested and that harvesting is done during the non-reproductive phase. Awareness programmes were also conducted by the Ministry in collaboration with the World Wildlife Fund (WWF) and the North Rupununi District Development Board. As part of the Arapaima Management Plan, a fishing permit was issued to North Rupununi (Amerindian) communities that would generate $20-23 M per annum. This is an economically important resource accessible

[93] The largest inland fish in the world.

mainly to the indigenous peoples in the interior and must be harvested in a sustainable manner.

391. In 2009, Guyana received international help in aquaculture development from the USAID Aquaculture and Fisheries Collaborative Research Support Programs (USAID AquaFish CRSP) and the Partners of the Americas farmer-to-farmer programme. Guyana has also received help from the Israeli Fisheries Department/Aquaculture Division. Information sharing and training focused on integrated aquaculture and polyculture and maintaining environmentally friendly farming practices.

392. The Ministry of Agriculture engages in activities aimed at assisting and making the necessary interventions to assist farmers in the event that farm land becomes inundated from rain and flood waters. The National Drainage and Irrigation Authority (NDIA) established by the Drainage and Irrigation Act 2004 assists in mitigating the effects of floods and ensuring that the water for agricultural purposes is sufficient. In 2007, under the Agricultural Support Services Programme (ASSP), jointly financed by the Inter American Development Bank and the GoG, an institutional and policy framework for the modernization of the Drainage and Irrigation sector was developed. In that period, the National Drainage and Irrigation Authority rehabilitated and maintained 350 miles of canals and drains. GoG also acquired 22 mobile pumps to assist in ensuring that floods are mitigated. The GoG has expended G$4.9 B in 2009, G$6.1 B in 2010, G$6.7 B in 2011, and projected to spend G$7.8B to further maintain and improve the Drainage and Irrigation structures in Guyana.

393. In a move toward greater privatization of the Rice Industry, the Guyana Rice Development Board (GRDB) was established as a semi-autonomous agency in statute by the National Assembly and assented to by President Dr. Cheddi Jagan as the Guyana Rice Development Board, Act No. 15 of 1994. This was the first step in the modernization of the rice industry which began from humble beginnings as small scale subsistence farming by the freed slaves and freed indentured labourers. Rice production has become a significant socio-economic activity in Guyana. There are 10,000 rice farming families contributing 4% of the GDP and 14% of total exports.

394. Through the Guyana Rice Development Board, the GoG ensures an integrated, sustainable and profitable rice industry. Over the last nineteen years the Government continues to expend significant sums of money towards rehabilitating and maintaining the Drainage and Irrigation system, the reorganization of the Rice Research and Technology transfer system and aggressively pursue the marketing of Guyana's rice.

395. The pursuit of human resource development is also a notable achievement of the Government. Today Post Graduate Staff members head the different departments of the Rice Research Station. The Board monitors marketing, quality control, extension and research.

396. Interventions to control the price for the consumers included reduction of excise tax on fuel to offset rising acquisition costs, VAT exemption from fertilizers, pesticides and machinery used in rice cultivation and a zero rate for rice to the consumers.

397. Additionally the Rice Factories Act and the GRDB Regulations were amended. The GRDB also undertakes research work with the objective of producing varieties of paddy that are high yielding and pesticide resistant. The Rice Strategic Plan will ensure increased yields.

398. The Latin American Fund For Irrigated Rice (FLAR) is assisting the country in providing new varieties of rice with higher yields than those currently available in the country. The Agriculture Support Services Programme (ASSP) through the GRDB supports rice research and agricultural diversification. The GRDB for example executes the Rice

Seeds Development and Farmers Training Programmes[94] with the expected outputs being rice seed development, agriculture diversification and pesticides and toxic chemical control.

399. In 2007, the activities of the Crops and Livestock Support services such as the National Avian Influenza exercise, the Pig Breeding Programme, the activation of the Veterinary Surveillance and Diagnostic Laboratory and the Bee Keepers Programme as well as other activities and programmes contributed significantly to the increase in the quantity and quality of agricultural commodities consumed and exported.

400. Non-traditional agricultural exports have been increasing over the last decade, tripling in volume and doubling in value from 2001 to 2009. There are however a number of associated challenges in expanding such exports, including promotion of better farm management and agribusiness techniques, standards of packaging and handling, transportation and storage conditions as well as exporting capacity.

401. The National Dairy Development Programme(NDDP), was established with a mission of working with stakeholders in Guyana to transform the cattle industry into a modern sustainable agricultural industry. The programme undertakes regularization and monitoring of activities with a view of supplying consumers with affordable, wholesome, high quality beef, milk and dairy products, achieving and sustaining national self-sufficiency in beef, fresh milk and milk products. In 2007, the NDDP conducted an educational programme on clean milk and sanitation and hygiene as well as conducted milk quality testing in the various Administrative Regions 2-7 testing for mastitis, tuberculosis, and brucellosis in animals. The Genetic Improvement Programme used improved breeds of animals, and quality semen was made available to farmers in order to improve production and the quality of animals.

402. Act No.1 of 2010 entitled the Guyana Livestock Development Authority Act was passed in Parliament and assented by the President in April 2010. The Act came into effect on September 1, 2010. The formation of this semi-autonomous agency under the Ministry of Agriculture makes provision for the effective administration and regulation of trade, commerce and export of livestock and livestock products in an environment which increasingly consumes such products. This Authority has unified three separate entities namely the National Dairy Development Programme and the Animal Services Division of the Ministry of Agriculture and the Livestock and Pasturage Department of the former National Agricultural Research Institute (NARI).The new Authority (GLDA) has begun work on its main pillars which include Animal Health, Animal Production and Animal Genetics, all with a view of producing increasing quantities of affordable, safe and wholesome livestock products for local and in the medium term, exports.

403. To ensure food safety, education and technical training initiatives have been undertaken in order to increase organic production of vegetables and orchard crops, promote awareness of good agricultural practices, phytosanitary measures, green house technology and the safe use of pesticides and fertilizers. Through the Guyana /India Joint Commission, Guyana has benefitted from technical assistance and equipment.

404. In respect to food that is culturally acceptable, Guyana is honored with a rich diverse heritage based on its cultural, religious and ethnic diversity. Guyana produces food that is culturally acceptable to all of its ethnic groups. Cuisine and food in Guyana reflects the diversity and history of the country and the ingredients for the preparations of the foods in the main are locally produced. Hence cultural foods are available whether classified by

[94] A Rice and Bean Project, supported by the Spanish government, was launched in December 2009 in the hinterland Rupununi district and aims to ensure the sustainable production of these commodities in Amerindian communities.

ethnicity, nationality, religion, and these are expressed in knowledge, experience, beliefs, values, customs, traditions, distinctive institutions and the ways of food preparation.

405. Guyana celebrates the World Food Day and uses this occasion to publicize healthy diets. The Guyana Livestock Development Authority (GLDA) conducts informative sessions with farmers, primary and secondary school students, members of several social organisations, consumers and farmers on milk, nutrition and health. It also conducts training sessions which promote milk consumption. Guyanese are reminded to eat more fruits and vegetables as a way of reducing cancer, heart disease and high blood pressure and Type 2 diabetes[95] through pro-active programmes by the Ministry of Health.

5. Steps taken to promote equality of access by the disadvantaged and marginalized individuals including landless peasants and persons belonging to minorities to food, land, credit, natural resources and technology for food production

406. The Guyana Lands and Surveys Commission (GLSC) administers all state lands and ensures that the surveys are performed and recorded in accordance with the Land Surveyors Act. In fact the largest land holder is the state, the second largest single group is the Amerindian communities with 14% and less than 20% owned privately. Land is issued through leases, titles or freehold.

407. The Ministry of Agriculture has executed projects and activities under the Poor Rural Communities Support Services Project. These include rehabilitation and excavation of channels, construction of water control structures.

408. The Rural Enterprise Agricultural Development Programme (READ) was signed on July 24, 2008. The project will improve the livelihoods of approximately 28,000 residents throughout the 10 Administrative Regions of Guyana. It would enable them to establish enterprises and industries. This is undertaken in collaboration with IFAD. This project links the Ministries of Agriculture and Amerindian Affairs as it includes communities in the four interior Administrative Regions. The benefits from the project include training, equipment for food processing, preservation, labelling, access of entry to local and international markets, and, community development.

409. The Agricultural Diversification and Export Project pays specific focus and emphasis on small farmers, households, women and indigenous people.

410. In respect to the reduction of poverty and ensuring food security for the hinterland communities, the Ministry of Agriculture through the National Agricultural Research and Extension Institute and the Guyana Livestock Development Authority work with other ministries in providing agricultural support for the Hinterland School Feeding Programme. The Secure Livelihood Programme is a national hinterland agenda to advance the economies of the Amerindian villages.

411. In respect to land titles, the advancement of the demarcation of lands and the granting of titles to Amerindian communities have been ongoing as mentioned earlier in this report. Land titles are absolute grants forever owned by the Amerindian Communities and this includes the right to fish, farm and hunt as well as utilize timber on their titled land and occupancy rights.

412. Extreme weather, that is droughts (2009/2010 El Nino) and floods (2011) created difficulties in these interior regions for several communities' livelihood and their cost of living. The GoG, through the Civil Defence Commission and the Ministry of Amerindian

[95] Guyana has a high incidence of diabetes partly due to genetics and diet.

Affairs with the Ministry of Agriculture distributed food hampers and seedlings etc. to these communities and persons in the affected interior and riverain areas.[96]

6. Whether Guyana has adopted the voluntary guidelines to support the progressive realization of the right to adequate food in the context of national food security

413. As of May 7 2007, Guyana became a member of the Committee on World Food Security. Guyana is committed to the progressive realization of the right to food in the context of national food security and has undertaken concrete steps to fulfil the same as described herein.

7. Ensuring an equitable distribution of world food supplies in relation to need

414. There is a heavy reliance on trade in Guyana – the trade to GDP ratio has steadily increased, reflecting continued deepening of integration into the world economy. At a peak in 2008, imports and exports represented more than 200% of GDP. Of note is that the trade to GDP ratio had been steadily increasing for a number of years but exhibited a downturn in 2009. This contraction reflected the dampening of global demand for exports arising from the financial and economic crisis. The GoG will continue to monitor this trend. The sustained surplus of imports over exports creates a current account deficit which is financed largely through foreign savings and investments.

415. The export base of Guyana is predominantly agricultural, and traditional sectors of rice and sugar, along with bauxite, mining (gold and diamonds) and timber, are estimated to be 75% of exports in 2010.

416. Further, the erosion of the preferential market access[97] for Guyana's sugar as other sugar producing countries, has led to a loss of G$9 Billion per annum as a result of EU 36% price cut forcing GoG to divert and expend billions of dollars from revenue earnings to modernize and shore up the sector.

417. In 2008, the government made the largest historic investment in the sugar industry with the commissioning of the USD $180 M Skeldon Sugar factory which incorporates some of the best technologies in sugar manufacturing to reduce production cost, improve sugar quality and operational efficiency. In May 2011, a US$12.5M packaging plant at Enmore was commissioned. Both investments provided demand for more skilled labour and job opportunities.

418. It should be underlined that the sugar industry contributes 16% to the country's Gross Domestic Product (GDP) and is the means of livelihood for about 17% of Guyana's population who are directly or indirectly dependent on this sector.

419. Guyana faces three major challenges in the export arena: diversification of its exports, equitable treatment and access to markets.

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[96] To help mitigate the effects of El Nino, in 2009, the Ministry of Amerindian Affairs distributed over 1500 food hampers. The hampers comprised items such as red beans, rice, sugar, farine and cooking oil. In 2011 due to exceptionally high rainfalls in the interior which led to serious flooding, 20,000 individuals received food relief and stipends to restore lost property and crops.

[97] Guyana's signing of the Economic Partnership Agreement (EPA) between CARIFORUM and the EC in October 2008 replaced the non-reciprocal preferential trade arrangement. This has placed a greater strain on the country to adapt its export capabilities in order to successfully compete in liberalized markets.

420. According to the Ministry of Agriculture Annual Report 2007, the Guyana Marketing Corporation exported a total volume of non-traditional produce[98] and products valued at US $9.3 Million. The export volume for 2007 was 42% higher than that of 2006. Guyana exports to countries within the Caribbean and outside. These include Barbados, Trinidad, Suriname, St Lucia, Antigua and Dominica, and the USA.

421. The total volume of non-traditional produce and products exported for 2008 was 7,116 tonnes valued at G$1.5 billion or US$7.8 million. The export volume for 2008 was 3.76% or 278 tonnes lower than that of 2007. The export value for 2008 was 15.09% lower than the export value for 2007.[99]

422. Rice production amounted to 360,000 tonnes for 2010 and 401,904 tonnes in 2011 (highest level of production ever) and representing a 11.3% increase. In 2008 Guyana marked 100 years as a rice exporter. Due to the increase in demand for rice worldwide Guyana has been able to increasingly meet growing demands.

423. Guyana has also benefited from the Caribbean Forum (CARIFORUM) since its inception with financial aid through an Economic Development Fund (EDF) programme. CARIFORUM and the EU signed an agreement in December 2003 to improve the competitiveness of the CARIFORUM Rice Industry. Under the Rice Sector Program, Guyana is able to effectively access and compete in markets regionally and internationally.

424. Guyana has additionally given food aid to other countries in need. These include countries that have been affected by natural disasters and that have had their production cycle being disrupted. Guyana's emergency relief and disaster management, through the Civil Defence Commission, has rendered physical and financial assistance and materials to Haiti, Cuba, Grenada, Venezuela, etc.

425. At the regional level, Guyana's President is the CARICOM head with responsibility for agriculture, and has provided innovative leadership in the region.

426. One of the decisions taken as part of the region's efforts to formulate a regional response to the world economic crisis was the establishment of a plan of action for "regional impact and response". A task force was appointed in 2009 and headed by President Bharrat Jagdeo and included CARICOM Secretary General, the President of the Caribbean Development Bank, Director General OECS and Director of the Caribbean Centre for Money and Finance.

427. Guyana through increased bilateral trade and cooperation with neighbouring countries has been expanding its trade relations and exports and will continue to do so over the coming years.

428. Guyana will continue to face challenges to food production and security depending on the exogenous factors such as the status of the global economy, unfavourable terms of trade with Europe and unpredictable weather patterns due to global warming.

429. Guyana is of the firm opinion that an open and equal global trading and financial system will lead to greater economic gains capable of translation into improvements in other goals.

[98] In 2006, Guyana submitted data to FAO and the International Commission for the Conservation of Atlantic Tunas (ICCAT). This paved way for Guyana to export shrimp, fish and other sea products.

[99] Guyana Marketing Corporation Annual Report 2008.

Article 12 – Right to health

430. The GoG recognizes and respectfully affirms its commitment to ensure the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

431. In accordance to Article 24 of the Constitution, every citizen has the right to free medical attention. The Government of Guyana through the Ministry of Health (MOH)[100] ensures that health care decisions are based on equity, consumer-oriented and quality service and accountability. The Ministry of Health strives to improve the physical, social and mental health status of all Guyanese and non-Guyanese residing in Guyana by ensuring that health services are as accessible, acceptable, affordable, timely and appropriate as possible given available resources and that the effectiveness of health personnel is enhanced through continuing education, training and management systems. The Health Strategic Plan 2008-2012 forms the Ministry of Health medium term strategy.

432. Since 1992, the GoG has invested heavily annually in the public health sector to reconstruct a collapsed sector and extend the benefits of a modern health care delivery system to all Guyanese (see Table 2). In contrast in 1992, per capita investment in Health was less than $7 USD versus a per capita investment of $ 81 USD in 2009.

433. The GoG works in partnership with the UNFPA, the World Health Organization (WHO), PAHO, UNICEF and the Global Fund to Fight AIDS, Tuberculosis and Malaria to provide improved quality of delivery of health care to the Guyanese people.

434. The focus has moved from the reconstruction of a collapsed sector to modernization and providing new services to the population as well as continued focus on the programmes which have been successful in primary health care such as the Expanded Programme of Immunization, Maternal and Child Health programmes, Prevention of Mother to Child Transmission of HIV (PMTCT),[101] and free Anti-Retro Viral Treatment.

435. The improved health and wellbeing of the population is supported by the Ministries of Culture Youth and Sport and Education with non-governmental bodies such as sports clubs and federations. To this end, the GoG funds the upgrading and maintenance of sports grounds and other avenues for exercise such as national parks, swimming places and national gym. Entry to these places in some instances is free and in other cases a minimal charge is made.

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[100] The architecture of the public health sector is based on a free public health care delivery system from the lowest rung of health huts in the far interior leading to the main tertiary care referral and teaching hospital in which access to Maternal and Child Health services, Non-communicable and communicable disease clinical services, HIV/Aids and sexually transmitted diseases services, dental care and rehabilitation services, intertwine and are offered at various levels and across all ten Administrative Regions.
Both nationals and non-nationals residing in Guyana have access to free medical attention at the main tertiary care and city referral public hospital, nine (9) regional public hospitals, 21 secondary /district hospitals, 2 specialist hospitals, and 342 primary health care facilities. Medicine in the public sector is also free. There are also seven private hospitals.

[101] Guyana also offers free Anti-Retroviral Treatment (ART) for HIV/Aids patients. Through an incremental approach commencing in 2004, approximately 7300 patients have received treatment with 2,300 new patients being treated in 2009.

1. Reduction of still birth rate, infant mortality, the healthy growing of the child and maternal health

436. The GoG affirms its commitment and recognizes that the reduction of the still birth rate, infant and child mortality and maternal mortality is critical in keeping with the development of Guyana and its treaty obligations to the CESCR.

437. The GoG recognizes the intrinsic link between health and development, and is committed to protecting and promoting the health of all its citizens, including the very young and vulnerable. The GoG has implemented a number of policies and programmes aimed at improving child and maternal health, most recently through the National Health Sector Strategy 2008-2012,[102] and the successes of these are reflected in a clear downward trend in child mortality.

2. Maternal health

438. Government places a high priority on ensuring the health and safety of the nation's mothers. This goal focuses both on women having access to reproductive health services and on reducing the risk of maternal death. Initiatives specific to maternal and child health were implemented within the framework of the 2006-2010 Maternal and Neonatal Mortality Reduction Strategic Plan.

439. The Ministry of Health has developed Safe Motherhood Policies with the aim of ensuring that hospitals and health centres have the capacity to provide safe deliveries and healthy babies and to provide family planning information. Maternity facilities at the New Amsterdam and Georgetown Public hospitals (the majority of the babies are born at these 2 facilities) are being constantly reviewed and measures to improve the safety of labour and delivery include intensified training programmes for health care professionals in obstetrics and neo-natalogy.

440. The Ministry of Health also established since 2005 a National Maternal Mortality Audit Committee to investigate all maternal deaths and the Ministry has mandated that all maternal deaths must be reported to the Chief Medical Officer within 24 hours. Guidelines are also being developed for the Maternal Mortality Epidemiological Surveillance with a focus on reducing maternal deaths. The Maternal Mortality Review Committee (MMRC) reviews cases arising out of maternal deaths and makes recommendations to the Medical and Nurses Councils, and hospital administrations, as may be necessary. Since its formation, the Committee has investigated several maternal deaths and made recommendations on the improvement of maternal health and the reduction of maternal mortality.

441. Anaemia in pregnant women has also been an ongoing concern which is being addressed. The IDB-funded Basic Nutrition Programme (BNP) addresses the situation through the provision of a novel form of iron supplement, known as Sprinkles, and free food coupons for pregnant women and mothers of children under two years old. The programme has been piloted in 50 health centres and is expected to be scaled-up following a positive impact evaluation. The BNP has also incorporated a national information and education campaign disseminating messages designed to build awareness of anaemia, to encourage pregnant women to register at health centres as soon as they think they are pregnant, and to promote exclusive breastfeeding and good young child feeding practices.

[102] The new NHSS targets the transformation of maternal and child health into an integrated family health programme which will include women's health, neonatal and child care, expanded immunisation programme, integrated management of common childhood illnesses (IMCI),integrated management of adolescent and adult illnesses (IMAI), adolescent health and family planning.

The Basic Nutrition Programme (BNP) Nutritional Sprinkles Programme, benefits 20,000 women and children. Recent evaluation of this programme has shown a reduction in anemia by 34% and a 45% reduction in under nutrition.

442. Data also indicated that 81% of women before 2006 and 97.2% in 2009 surveyed received antenatal care from skilled personnel at least once during their pregnancy and 96% of births are attended by skilled health personnel. However, a higher percentage of women from the coastal areas were attended to by skilled personnel compared with women from hinterland regions (see Table 14).

443. The GoG, with its partners the World Bank, Global Fund, PEPFAR, UNICEF and PAHO, offers free Prevention of Mother to Child Transmission of HIV/AIDS Treatment (PMTCT). Since 2002, PMTCT services offered at antenatal care clinics and labour and delivery wards of select hospitals have been expanded and strengthened. These services have also been established in hinterland areas. By 2008, 135 service centres were established and a total of 157 service centres in 2009 provide the minimum package of PMTCT services according to national or international standards. These sites provide access to PMTCT for almost 80% of pregnant women in Guyana. At these facilities, mothers are routinely screened for syphilis and HIV. Counselling and testing is provided to pregnant women and those who test positive receive a complete course of antiretroviral prophylaxis. The results are encouraging with HIV prevalence among pregnant women having fallen from more than 5% before 2000 to about 1.14% in 2008 (see Table 15). More than 85% of the babies born to HIV+ pregnant women receive nevirapine treatment after birth.

444. Noteworthy is that HIV/Aids prevalence in the population has declined from 7.1% in 1995 to 1.1% in 2009 and access to anti-retroviral drugs has quadrupled in the last five years, representing an increase from 18.4% in 2004 to 83.5% in 2009.

445. Estimates from the Ministry of Health suggest that the maternal mortality ratio has declined from 140 per 100,000 live births in 1991 to 86 deaths per 100,000 live births in 2008 (see Tables 14 and 15). The five main causes of maternal death have altered over the years, as anemia was one of the main contributing causes of maternal deaths 15 years ago and now it is the third cause. The first cause points to the continued efforts required to improve the quality health care delivery (see Table 16).

446. Guyana has therefore made good progress towards improving maternal health with increasing availability of skilled health practitioners at the primary health care level and delivery of births.

447. Whilst some progress has been made in reducing the number of maternal deaths, this issue still needs to be aggressively addressed. Although antenatal care coverage and contraceptive prevalence are on the rise, the country currently is unlikely to meet the MDG target of reducing the maternal mortality ratio by three-quarters; and has a mixed outlook on the target to achieve universal access to reproductive health with 42% contraceptive usage in 2009.

448. In contrast, Guyana is making good progress towards reducing child mortality. The country has already met the target of reducing the under-five mortality rate by two-thirds by 2015 and aims to further improve its record of reducing child mortality.

449. The under-five or 'child' mortality rate declined from 120 per 1,000 live births in 1991 to 17 per 1,000 live births in 2008. The infant mortality rate displays a similar trend with a decline from 78 per 1,000 live births in 1991 to 17.5 per 1,000 live births in 2008.[103]

450. There are some major success stories in the areas of immunisation, nutrition, and HIV/AIDS. Immunisation coverage of the children population has been consistently above 90% for all major vaccinations across the entire country.[104] The proportion of 1 year old children immunised against measles has increased from 89% in 1999 to 97% in 2009.

451. Slow foetal growth which accounted for 7% of under-five deaths in 2007 no longer features as a leading cause of death in 2008, reflecting the successes of the Safe Motherhood Initiative and the Basic Nutrition Programme. HIV/AIDS deaths among children declined from 7.1% in 2001 to 1.9% in 2008, an accomplishment largely attributable to the Prevention of Mother-to-Child Transmission Programme (PMCTP). In addition, an integrated approach to child health and development was adopted in Guyana in 2001 and has positively impacted diagnosis and treatment of childhood illnesses.

452. The Integrated Management of Childhood Illnesses (IMCI)[105] targets the reduction of morbidity and mortality associated with the major causes of childhood illnesses and improving the overall health and well-being of the child.

453. The indicators also reflect positive outcomes from interventions addressing the major causes of mortality in children under 5 years: acute respiratory infections, diarrhoea and worm infestations Guyana is taking steps to reduce morbidity and mortality rates associated with tuberculosis and malaria, particularly among children (see Table 17).

454. In Guyana, child mortality results from a relatively wide range of causes, as is evident from the fact that only just over half of under-five deaths are captured by the six leading causes. It is important to note however that in 2008, 81% of under-five deaths occurred in the first year of life, and the majority (68%) of these deaths occurred within the first few weeks of life.

455. The leading causes of under-five deaths strongly indicate that the most important challenge is a need to improve the quality of care of under-one children, especially at and around the time of birth. In addition, the prevalence of nutritional deficiencies and anaemia in under-five children indicates a need to improve the nutritional intake of both mother and child. The Basic Nutritional Programme (Sprinkles) will continue to be available to low income target groups and vulnerable mothers and children.

3. Immunisation

456. Collaboration with the Pan American Health Organization (PAHO) has strengthened the capacity of the MOH to protect the population from vaccine-preventable diseases. In

[103] The estimates of child mortality are lower than earlier estimates and highlight the change in a positive direction. For example IMR and U5MR fell by 17 and 25 percentage points between 2000 and 2006 respectively. It is important to note, that the MICS surveys in 2000 and 2006 reported that U5MR dropped from 72.0 per thousand to 47.0 per thousand in 2006.
Additionally infant mortality rate dropped from 426 deaths in 2004 to 339 in 2007. This trend is also verified by the MICS of 2000 and 2006 which reported the numbers as dropping from 54.0 to 37.0 per thousand in 2006. It should be noted that since Guyana has improved its data collection, particularly since 2005, the MICS data is used only to verify trends.

[104] The immunisation rate per critical vaccines – DPT-95%, MMR/Yellow Fever-96%, Polio-95%, TB/BCG-97%.

[105] The National IMCI Committee is now promoting community-based IMCI centres to promote key evidence-based practices for child health.

1996, the Measles, Mumps, Rubella (MMR) was added to the immunization regime at the Maternal and Child Health clinics. In addition to the immunization programmes in the MCH clinics, the MOH from time to time also carries out vaccination campaigns for diseases such as Measles, Mumps, Rubella and Yellow-Fever in the older population and these are very successful with over 88% coverage.

457. Special emphasis has been placed on low-coverage areas with campaign activities to encourage previous defaulters to have their children vaccinated. The Regional Health Services programme of the Ministry of Health provides primary and secondary health coverage and monitoring of the health situation in the hinterland areas.

458. The objectives of an expanded immunisation programme are to maintain vaccination coverage of over 90% in each sub-district and region and to achieve zero cases of vaccine-preventable diseases. Already underway is a programme immunising all risk groups against DT, MMR, Yellow Fever and Hepatitis B. The immunisation programme aims to achieve a measles and rubella free country by 2015. The new NHSS now hopes to achieve and maintain 90% immunisation national coverage for all routine antigens, with no region under 85%, and to introduce selected new vaccines into routine immunization.

459. Guyana recognizes that health and development are intrinsically linked and having recognized this crucial fact, the Ministry of Health, through the immunization programme seeks to address these critical health issues to enable sustainable development, which will require a coordinated and an inter-sectoral approach to ensure greater harmonization of efforts within the health sector and donor community.

4. Improvement of environmental and industrial hygiene

460. The GoG affirms its commitments under this Article of the CESCR.

461. To this end, the GoG recognizes pursuant to Article 36 of the Guyana Constitution stipulates that the well-being for the nation depends upon preserving clean air, fertile soils, pure water and the rich diversity of plants, animals and eco-systems. Article 149J(1) enacts that everyone has the right to an environment that is not harmful to his or her health or well-being. Article 149J(3) enacts that it shall not be an infringement of a person's rights under Article 149J(1) if, by reason only of an allergic condition or other peculiarity the environment is harmful to that person's health or well-being. Article 149J(2) enacts that the state shall protect the environment for the benefit of the generations, through reasonable legislative and other measures designed to prevent pollution and ecological degradation; promote conservation and secure sustainable development and use of natural resources while promoting justifiable economic and social development

462. Guyana's environmental ethos was enshrined in its 1980 Constitution, through a pledge to conserve and improve the environment. Since then, the Government of Guyana has pursued this commitment to environmental sustainability through a series of policy, legislative, and institutional changes. These include the Iwokrama Act (1996), the Environmental Protection Act (1996), the National Environmental Action Plan (1997 and 2001-2005), the National Strategy for the Conservation and Sustainable Use of Guyana's Biodiversity (1997), the National Biodiversity Strategy (1988) and Action Plan (NBAP; 2000), National Forest Policy (1999), National Forestry Action Plan (1989), the Avoided Deforestation Policy and more recently, the Low Carbon Development Strategy (LCDS, 2009).

463. Guyana has traditionally been in the fore-front of sustainable development efforts. In 1989, the country dedicated the Iwokrama Conservation Forest to the Commonwealth for the purpose of global research and to further its efforts to conserve forests and biodiversity. The Iwokrama Forest represents 1.7% of Guyana's land mass, covering almost one million acres (371,000 hectares) of lush, lowland tropical forest.

464. The Iwokrama International Centre (IIC) was established in 1996 with the mandate to test the proposition that conservation, environmental balance and sustainable economic activity can be mutually reinforcing. It has become a living laboratory for sustainable tropical forest management and research into global warming.

465. Guyana has recorded multiple successes in the national quest to ensure environmental sustainability.

466. The country has satisfied the target of integrating the principles of sustainable development into country policies and programmes and is committed to significantly reducing biodiversity loss. The MDG targets of halving the proportion of the population without access to safe drinking water and basic sanitation have been met, and there have been notable increases in the population's access to adequate housing.

467. The target of integrating the principles of sustainable development into country policies and programmes has been achieved through the implementation of Guyana's LCDS. This bold environmental initiative outlines a sustainable development strategy under which Guyana will deploy its forests to mitigate climate change in return for payments from the world for the service the forests provide. These payments will then be used to support low carbon economic investments.

468. It should be noted however, that Guyana has advocated strongly in the international arena for a legally binding agreement on climate change and has an Memorandum of Understanding with the Kingdom of Norway in relation to REDD + whereby Guyana will trade in carbon services. Under this MOU Guyana once it meets the benchmarks will receive $ 250 M USD over the next 5 years.

5. Biological waste

469. The Health Facilities Inspectorate, operating out of the Ministry of Health, undertakes visits to health facilities to ensure that they adhere to standards including the disposal of biological medical waste. Before a license is issued to private hospitals, they must convince the Ministry that they have the ability to deal with hazardous waste, in accordance with the Health Facilities Licensing Act. Occupational health is also given attention.

470. In 2007, the GoG signed onto the Clean Care is Safer Care initiative, a global campaign, to ensure that and improve patients' safety especially those having a lengthy stay in hospital. This initiative propels the improvement of hand hygiene in health care facilities to help reduce the growing number of deaths and illnesses due to health care associated infections. Campaign on clean hands is to reduce diseases caused by unclean hands.

471. In 2009, the Environmental Health Department of the Ministry of Health underwent massive structural adjustments whereby sanitary inspections are now dealing with Occupational Health and Safety (OH&S) within the sector. To deal with biological waste, the Ministry adopted a hydroclave system that is installed to sterilize all waste. The main hospital in collaboration with the Guyana Safer Injection Project (GSIP) educates members of staff about the proper disposal of injections. This is to ensure that their safety and that of the public's is not endangered.

6. Environmental health

472. To improve environmental health, there are several legal provisions that aid in behavioural change and enforcement. There are also campaigns to educate the public and encourage citizens to keep a healthy and clean environment.

473. The 6 Municipal Councils, 65 Neighbourhood Democratic Councils and Amerindian Village Councils all have responsibilities in maintaining a clean environment and

encouraging supportive behaviour by the citizens. They are also supported by laws which allow them to take action against defaulters. However, there is uneven development between these various local government bodies partly due to lack of public environmental consciousness, lack of solid waste disposal sites, inefficient rates and taxes collection systems, etc.

474. The Environment Protection Agency (EPA) is established by The Environment Protection Act of 1997 with a comprehensive mandate to preserve the environment and the health of the citizens. This body is a para-statal agency with budgetary allocations, staff and equipment to carry out their mandate.

475. Due to the size of the country and the low level of manufacturing, there is little pollution of the air and water ways. Other forms of pollution as a result of mining is monitored and enforced by the EPA and the Guyana Geology and Mines Commission.

7. Prevention, treatment and control of epidemic, endemic occupational and other diseases

476. In recognition of this article of the CSCER, the GoG affirms that it has placed emphasis on the prevention, treatment and control of epidemic, endemic, occupational and other diseases in furtherance of achieving the full realization of this right.

477. Guyana has recorded overall steady progress towards achieving the sixth MDG Goal of combating HIV/AIDS, malaria and other diseases. The country shows signs of beginning to halt the spread of HIV/AIDS and is projected to meet the target of achieving universal access to treatment for HIV/AIDS for all those who need it. There is positive news for malaria control as well, with prevalence rates confirming that the country has succeeded in meeting the target of reducing incidence of the disease. The prevalence of tuberculosis shows tentative signs of a decline, with reduced incidence over the reporting period.

478. Combating the major communicable diseases of HIV/AIDS, malaria and tuberculosis is a major priority of the Government, and is reflected in the National Health Strategy 2008-2012. The Strategy places emphasis on prevention efforts and treatment, care and support services being fully integrated into the health services delivery system. Targets identified for each of the diseases are aligned with the required trajectory towards fulfilment of this Millennium Development Goal.

8. Malaria and other vector born diseases

479. Considerable progress has been made in tackling malaria. The prevalence of malaria in Guyana has decreased from 5,097 per 100,000 persons in 2005 to 1,510 per 100,000 persons in 2008 and the number of children cases has also declined (see Table 17). The reductions in the number of cases in Guyana over the last few years and the associated reductions in almost every Region are shown in absolute numbers in Table 18.

480. Malaria is not a major cause of death in Guyana but becomes a potent threat when combined with malnutrition, or if repeated episodes occur. Recognising that malaria does contribute to anaemia, one of the 10 leading causes of death of children under five years of age in Guyana, specific efforts have been exerted to reduce the prevalence among children and adults (see section on Article 12 2 (c) for more details). The following table reflects the incidence of malaria among children in Guyana (Table 16). Intensive efforts to eradicate the disease have been ongoing in Guyana and various measures have been introduced.

481. A comprehensive malaria programme has been designed with a budget of about US$5 million annually. But even with considerable assistance from PAHO/WHO, the Global Fund, USAID, Guyana was only able to mobilize about $1.5 million for 2005. The prospect for 2006 was not any brighter. In 2008, The Global Fund on Malaria, Tuberculosis

and HIV/AIDS provided (about USD 2.5 M) for anti-malaria programmes in 2 interior Administrative Regions 7 and 8.

482. The Roll Back Malaria initiative aims at increasing the community involvement in reducing the incidence of malaria and other vector borne diseases such as filarial and dengue. Guyana is part of the Global Malaria Strategy adopted in 1992 that consists of four elements including disease management, disease prevention, epidemic detection and control and strengthening local capabilities in basic and applied research. The campaign against malaria in Guyana involves the use of coartem for treatment of plasmodium falciparum; long lasting impregnated nets and better trained health workers.

483. The Ministry of Health is working towards the elimination of malaria as a public health problem in Guyana by 2015. The majority of infections occur in the hinterland regions and one major cause that has been identified is the rise in mining and logging in more remote areas of the forests over the last 15 years as well as major changes in cultural habits and practices in Amerindian communities with the availability of electricity and better transportation and communication. In response, through the Vector Control Programme,[106] active work has been ongoing especially in the interior regions.[107]

484. Impregnated bed nets were introduced experimentally in 1996-1997 period. This has been found to be an effective intervention to reduce the number of malaria cases in the interior regions among Amerindian communities and workers in mining and logging industries. Under a Ministry of Amerindian Affairs (MAA) programme supported by PAHO, more than 8,400 mosquito nets were distributed free of cost in all interior villages in Guyana between 2007 and 2009 (see Table 19). Global Fund has also made these impregnated mosquito nets and anti-malaria drugs readily available in the interior regions. Insect repellents were also made available to villagers. The MAA with the Ministry of Health Regional Health Services (MOHRHS) collaborate on these interventions in Amerindian communities. Individuals from each community are selected and trained as Community Health Workers to service their community at the primary care level.

485. In terms of vector control, the Ministry of Health has undertaken steps to ensure that the breeding places for the mosquitoes are fogged periodically in urban centres, rural and Amerindian communities as well as in mining and forestry camps in the far interior.

486. These efforts have been complemented by intensive awareness-raising especially in the hinterland regions. In 2009, the Ministry of Health continued its efforts to raise awareness of the pandemic and the importance of fighting the spread of malaria through partnerships formed with various groups, including faith-based institutions, NGOs and the private sector in both the mining and forestry sectors. This is on-going.

9. Tuberculosis

487. Tuberculosis (TB) is still considered a major cause of death in Guyana and is included in the Communicable Diseases National Priority Programme. The National Tuberculosis Strategic Plan of Guyana (2008-2012)[108] links the objective of the MDG's

[106] The Guyana Vector Control Services Department is responsible for surveillance and disease prevention activities and the management and control of the major vector-borne diseases such as Malaria, Dengue fever, Filariasis and Leichmaniasis.

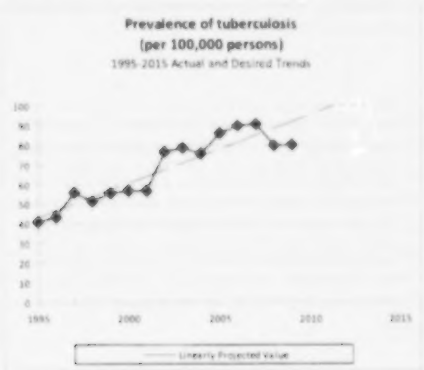
[107] Significant progress has been made in the effective diagnosis of malaria infection. Rapid response teams have been put in place in 'hot spot' areas which are identified on a weekly basis. Training programmes in malaria microscopy and treatment are held regularly with the technical support of PAHO for health workers and efforts have been made to improve laboratory services and quality control in microscopy.

[108] Designed with support from the Canadian International Development Agency (CIDA).

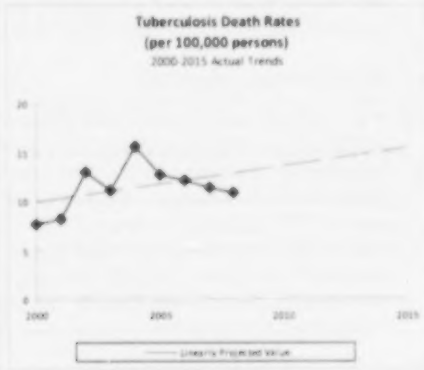
Goal 6 and the Poverty Reduction Programme with the National Health Sector Strategy for 2008-2012. The plan's main objective is to maintain and expand quality TB services down to the peripheral levels of the health system while addressing cross cutting social, demographic and economic challenges to control TB in Guyana.

488. The prevalence of tuberculosis reported in Guyana increased from 41 per 100,000 persons in 1995 to 80 per 100,000 persons in 2009, representing an increase of 113% in incidence over this period (see Graph 1.A.3). New or increased financial assistance or expansions in the geographical coverage of TB services have been associated with a considerable jump in the TB incidence rate. Hence it is a very positive signal that in 2009 TB incidence decreased by approximately 10 percentage points since its peak in 2007.

Graph 1.A.3

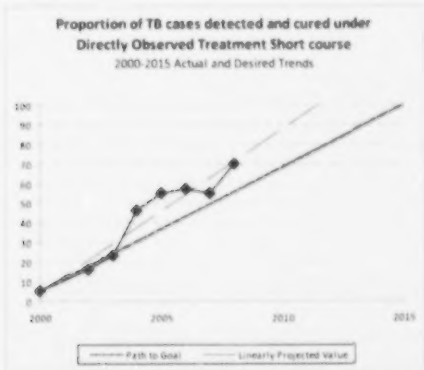


Graph 1.A.4



Source: Ministry of Health Guyana.

Graph 1.A.5



Source: Ministry of Health.

489. Despite the increase in the prevalence rate, the death rate from TB has gradually reduced in recent years, from 15.5 per 100,000 persons in 2004 to 10.9 per 100,000 persons in 2008 (see Graph 1.A.4) due to improved access to services-detection and treatment (see Graph 1.A.5), but it remains relatively high for a disease which is both preventable and curable, and this is something which the GoG is addressing.

490. Between 20% and 25% of new TB cases occur in people infected with HIV/AIDS and over 70% of deaths from TB occur in patients infected with HIV/AIDS. As a result, collaboration between the MOH's TB and HIV programmes has been heightened since 2006 and the 12 WHO recommended activities for tackling co-infection have now all been implemented in Administrative Region 4 (with largest population). Additionally, Government efforts to improve in-patient care (especially at national and regional hospitals) should contribute to a decrease in the number of TB deaths among people with HIV/AIDS.

491. Significant gains in eliminating deaths due to the main forms of killer TB conditions for children (Milaria, TB and TB meningitis) in Guyana was achieved by maintaining a high level of BCG coverage (95%) over the last 5 years. Expansion of the DOTS (Directly Observed Treatment Short course) strategy has improved access of all children to vital TB medication but more importantly focus is on reducing the risk of TB transmission within their homes posed by adult TB patients not on treatment. Since its introduction it has shown a success rate of patients cured from 5% in 2000 to 70% in 2008.

10. HIV/AIDS and other STDs

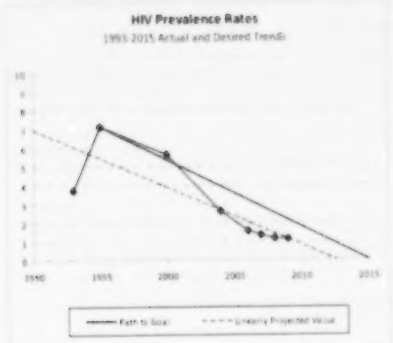
492. Guyana submitted its 2009 report to the special session of the General Assembly (UNGASS) in 2010 as required. HIV prevalence among the general population has been progressively decreasing since 2004, with an estimated prevalence of 1.1% for 2009 (see Graph 6.A.1). In addition to the downward trend in HIV prevalence, the number of actual cases of HIV reported has almost tripled[109] in the last decade (see Graph 1.A.6 and Graph 1.A.7). The co-existence of these trends can be explained by improvements made in detection[110] of cases through the aggressive strategies to promote testing in the population[111]. Recent statements by the Minister of Health reveal a continued concern of transmission among adolescents and young adults.

[109] The annual figures may reflect double-counting, owing to persons choosing to self-test more than once.

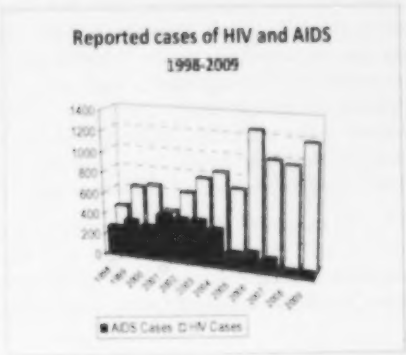
[110] In 2008, the new National Public Health Reference Laboratory includes the DNA-PCR and Ribonucleic acid (RNA) PCR which are completely new to Guyana. This test is used to diagnose babies who are born from HIV positive mothers. This is an improvement since previously the same could only be done after 18 months. With the new system and equipment, the viral load measurement, lab personnel are able to monitor patients that are on the Anti-retroviral therapy.

[111] The 2010 UNAIDS Global AIDS Epidemic estimated that 5,900 people (children and adults were living in with HIV/AIDS in 2009. The 2008 UNAIDS Global AIDS Epidemic estimated that 13,000 people (children and adults) in Guyana were living with HIV/AIDS in 2007, out of which 7,000 were estimated to be women. The estimated figure of children living with HIV/AIDS (aged 0 to 14 years) was under 1,000 in 2007.The number of new cases of AIDS has declined in 2009.

Graph 1.A.6



Graph 1.A.7



Source: Ministry of Health.

493. The GoG has simultaneously expanded its facilities as well as treatment available for HIV/AIDS patients. In 2001, The GoG took a conscious and deliberate decision to provide a free universal treatment[112] and care programme and this has expanded to cover 16 centres across 5 regions. The percentage of the population with advanced HIV/AIDS infections who have access to free antiretroviral (ARV) drugs has steadily increased over the years, moving from 18.4% in 2004 to 83.5% in 2009.The positive effects of such expansion in treatment are reflected in the decline of AIDS-related deaths from 9.5% in 2002 to 4.7% in 2008. To maintain these successes, and achieve the target of universal access to treatment, the outstanding proportion of the population in need of treatment must be reached.

494. Implementation of a five-year National Strategic Plan (NSP) for HIV/AIDS began in 2002, began in 2002, and in 2003, a National HIV/AIDS policy paper[113] was revised to reflect changes in coordinating mechanisms and to provide a policy framework delineating access to free care and treatment for all people living with HIV. Following on from the success of the 2002-2006 NSP, and taking into account greater levels of funding available for HIV/AIDS, the 2007-11 NSP is currently being implemented. The Guyana Poverty Reduction Strategy Programmes identifies HIV/AIDS as an area for special attention in the health sector.

495. The comprehensive HIV/AIDS programme, response, prevention, PMTCT, treatment and care programmes are all in place. Before 2001, the only partners who assisted Guyana in the fight against AIDS were the UNAIDS, PAHO/WHO and UNICEF. The significant shift in funding globally brought new partners supporting Guyana's efforts – the Global Fund, the US PEPFAR Programme, the World Bank, CIDA, the European Union, the Clinton Fund and the DFID, Inter American Development Bank, civil society and NGOs. The Inter-American Development Bank and Family Health International have provided technical support for developing a national health information system. A national monitoring and evaluation plan for HIV/AIDS activities is under development and a monitoring and evaluation unit will be created within the Health Sector Development Unit of the Ministry of Health to coordinate data collection and analysis.

[112] In 2001, Guyana took the bold step of manufacturing its own anti-retroviral drugs. This is the only locally owned pharmaceutical company producing these drugs in the Caribbean region.

[113] The first National Aids Policy was adopted in the National Assembly in 1999.

496. The estimated cost for implementing a comprehensive HIV/AIDS programme in Guyana has been projected by CIDA to be about USD 20 M annually. Guyana is far from mobilizing this amount. Since early 2004, Guyana has been consolidating its HIV/AIDS response in accordance to the "Three Ones" model. In this regard, UNAIDS, the UK, France and the US co-hosted a high level meeting in London on 9 March 2005 entitled "Making the money work". One of the concrete outcomes of the meeting was the move forward in the immediate application of the Three Ones' principles at country level. 15 countries, including Guyana, were identified to operationalize the Three Ones model by end 2005. UNAIDS has been a facilitator among the stakeholders.

497. In respect to HIV/AIDS at the workplace, The Ministry of Labour and Human Services and Social Security works with the International Labour Organization (ILO), employers and trade unions to prevent the spread of HIV/AIDS, in the world of work and reduce its adverse consequences on social, labour and economic development.

11. Chronic diseases

498. In respect to chronic diseases such as diabetes, and hypertension and cancer, the GoG has adopted a strategic plan on diabetes and hypertension and provide radiotherapy and chemotherapy at the Cancer Centre. Some of these diseases are linked to diet, exercise and genetic predispositions. The MOH has a robust public awareness educational campaign at the primary health levels and in the public using the media to promote healthy life styles.

499. Noteworthy is that a Non-Communicable Disease Programme in the Caribbean due to high incidence of diabetes etc., was adopted by CARICOM and PAHO which Guyana is implementing.

12. Epidemics/natural disasters

500. The last epidemic in Guyana was cholera in 1992 (October – January 1993) leading to 4 deaths and its containment to one geographic area. Since then there have been small outbreaks of various strains of influenzas but there has been no epidemic. Even during the 2005 and 2006 natural fold disasters affecting 300,000 people and the coastal belt of over a 100 miles, there was no epidemic; there were some cases of leptospirosis recorded where 2 persons succumbed and an increase in the incidences of diarrhea but there was no outbreak. Guyana has shown a capacity to handle these situations well for a developing country with limited resources.

13. Abuse of alcohol and tobacco and the use of illicit drugs and other harmful substances, in particular among children and adolescents, and ensure adequate treatment and rehabilitation of drug users and support their families

501. Guyana is a producer of rum and the main form of substance abuse is alcohol. New and stringent amendments to the sale and use of alcohol by minors have been enacted in 2010. It is estimated that between 8 and 10% of the national health care budget is spent on accident victims, many are victims of alcohol related accidents.[114] Marijuana also grows easily in these tropical conditions and is the second most favoured substance abused. Tobacco use is less than 20% of the male population with women being a very small percentage of less than 5%.

502. In 2005 a comprehensive multi-sectoral National Drug Strategy Master Plan (2005-2010) was launched which focused on four main areas-control and reduction of supply,

[114] Amendments to the Traffic laws in 2009 to prohibit driving under the influence have had some impact.

prevention, treatment and rehabilitation and institutional management framework. Guyana cooperates both at an international, regional and bilateral level to curb narco-trafficking and the consequences – small arms illicit trade, money-laundering and prostitution.[115] An updated new National Drug Strategy Master Plan is presently being drafted.

503. In 2009, the GoG through the Ministry of Health initiated the Drug Demand Reduction Programme (DDRP). The DDRP has several centers across the country in the areas targeted with high usage. The Salvation Army and the Phoenix Recovery Project, both NGOs, offer treatment and care for persons requiring long-term in-patient services at a low fee. Phoenix Recovery also works with the Guyana Prison Service[116] to help inmates with addiction problems. The MOH carries regular television programmes targeting a young audience in relation to drugs, HIV/AIDS, suicide etc.

14. Conditions to ensure to all medical attention in the event of sickness

504. The GoG has created conditions that ensure to all medical attention in the event of sickness including training health practitioners at all levels, construction of health facilities and the provision of services.

15. Preventive, Curative, and rehabilitative health facilities, goods and services are within safe reach and physically accessible to everyone, including older persons and persons with disabilities

505. The GoG has made significant strides in the delivery of quality health care to all Guyanese with a marked improvement in the hinterland and rural communities. Whilst concentration is on providing quality of care it must simultaneously provide for constant improvement in the physical plant of the health system-new primary health care centres as well as the refurbishment and expansion of existing primary health care facilities, the upgrading of the all secondary Regional Hospitals and the construction of 5 new Regional Hospitals and 3 new modern specialized diagnostic centres[117] and expansion of the main tertiary care hospital in the capital. The Cardiac Diagnostic Centre (CDC) and the Caribbean Heart Institute was established by a private-public partnership which offers care and treatment including cardiac surgery to patients.

506. In respect to persons with disabilities, the Division of Rehabilitation Services[118] under the Ministry of Health (MOH) offers services in audiology, occupational therapy, physiotherapy, and speech therapy. The MOH Prosthetic Workshop provides artificial limbs for persons in need at subsidized costs.

507. The Persons with Disabilities Act 2010 was enacted on 2nd November, 2010 becoming the first piece of legislation specifically providing for the rights of the differently-abled. The new National Commission on Disabilities as provided for in the Act

[115] Guyana cooperates with international (for example, the United Nations Office on Drugs and Crime (UNODC)), regional (CARICOM Regional Security Task Force, OAS CICAD) and bilaterally to combat drug-trafficking.

[116] Guyana responded to the questionnaire of the Working Group on Arbitrary detention to the Human Rights Council on detention of drug users in August 2009. Guyana also reports to CICAD (OAS) and the UNODC.

[117] Through Guyana /Cuba Bilateral Cooperation agreement, one of which includes a National Ophthalmology Hospital commissioned in July 2009 (the first of its kind in the Caribbean) which has the capacity of performing 10,000 eye surgeries in a year. In addition, both China and Cuba bilaterally provide critical medical specialists to the public health sector. Cuba is training over 1000 graduate students in medicine, engineering, agronomy etc. See Guyana UPR report 2010.

[118] See Guyana report to UPR 2010 and Guyana report to CEDAW 2010 for additional information.

has been installed and this takes the place of the Presidential Advisory Commission on Disabilities which has been functioning since 1997.

16. Adequate training of health personnel, including on health and human rights

508. Guyana provides adequate training of health personnel. The curricula for health workers include comprehensive, mandatory, courses on human rights, legal and ethical issues. Formal training at the University of Guyana's School of Medicine, School of Dentistry and departments of pharmacy, medical technology, environmental health and public health and 3 Nursing Schools offer a broad spectrum of training available at a subsidized cost through student loan system run by the GoG (see art. 6 (2)).

509. The new Allied Health Professionals Act 2010 provides for registration, accreditation and oversight of other categories of health practitioners.

510. Several professional regulatory and oversight bodies include the Guyana Medical Council, the Guyana Nurses Council, the Guyana Pharmacists Council, the Guyana Dental Council which are governed by legal instruments and are responsible for the registration, accreditation, upgrading and monitoring and upholding standards of the relevant health practitioners. These regulatory bodies issue licenses and can withdraw or withhold a license of a private person/organization in the event that he/she are in violation of these standards.

511. Under the Health Facilities Licensing Act and its Board licenses are issued to private health care centers. The Board carries out inspections to ensure that private hospitals are adhering to standards. This is in line with this statute as well as the Regulations made thereunder. The Act ensures that health facilities act in accordance with guidelines issued by the Ministry.

Article 13 – Right to education

512. The GoG remains committed to the provision and protection of the right to education and has made a consistent and valiant efforts to implement not only the right to education but the right to equal access to quality education for all Guyanese children. The objectives of the state as reflected in the Guyana Constitution Article 27(1) is that every citizen has the right to free education from nursery to university as well as at non-formal places where opportunities are provided in education and training. Article 38E provides for compulsory formal education up to the age of fifteen years.

513. The GoG has long recognised the value of education in contributing to personal development as well as the country's democratic path, economic growth and development. It has a longstanding commitment to the provision of free and compulsory education for its children from the pre-primary to secondary levels, to which, despite international pressure in the 1990s to move to cost recovery in the public educational sector, it remains unrelentingly committed.

514. The GoG remains unshaken in its commitment to investment in education as a critical and primary focus of its poverty reduction strategy, its developmental imperative based on a rights driven requirement. Its expansion and improvement of the education sector and its investment in this sector have been consistent over the last 18 years within its available resources. The share of expenditure for education has remained at around 8% of GDP and is projected to remain at this level through 2015 and this is in line with the GoG's commitment to strengthen, modernize and improve the capacity of the education system. Education expenditure as a percentage of the national budget has also been consistent and hovers on average at approximately 18.5% of the budget.

515. In 2009, the public Education sector represented 15.7% of the Budget and 7.3% of the GDP; 2010 15.3% of the Budget and 8% of the GDP (see Table 21); in 2011 15.2% of the National Budget.

516. Access to education is high at the primary level and national policy initiatives are in place to ensure that progress is maintained until every single child is able to complete a full course of primary schooling. Through a number of interventions to ensure that all children are enrolled and attend primary school as well as improve their mental retention levels, the GoG has effected a number of major interventions – school uniform allowance voucher programme,[119] school feeding programmes,[120] free distribution of text books, programme for children with special needs in the class rooms, incentives to teachers to work in the interior areas, as well as additional support for poor and vulnerable families have facilitated the high levels of enrolment and completion rates in the primary school education.

517. Overall, the total enrolment is 203,205 children (public sector nursery, primary, secondary and Practical Instruction Centres) with 102,576 males and 100,629 females (2009). Government provides tuition free education including provision of text books, from primary to secondary levels in the public sector.

518. Having made significant progress in nursery and primary school enrolment and completion documented earlier in this report with regards to attaining that MDG, Government's policy focus from 2011 is on attaining universal secondary education by 2015.This focus will sharpen its focus on the performance of its primary education sub-sector and underscores its commitment to the comprehensive education of its young people.

519. In addition to access to education, it is recognised that the quality of education determines educational outcomes. As such, several initiatives have been undertaken which aim to improve the quality of education provided in schools across Guyana.

520. The 2008-2013 Education Strategic Plan, the fourth in a series of education plans in the last two decades, is currently being implemented. While the core values of education remain generally the same, the new Plan carries the aims further to identify the priority policies and strategies Guyana intends to pursue to significantly improve the quality of output and help Guyana to meet the challenges posed by globalization and the rapid technological changes taking place in the world. The new Plan sets the framework to ensure that the system of education contributes to raising the standard of living in Guyana through an improvement in the overall effectiveness of education. It seeks to provide an education system that delivers quality education and training at all levels and in particular:

- To eliminate illiteracy;
- To modernise education to face new challenges and needs of the society;
- To strengthen tolerance.[121]

[119] This began in 2005 with only children in the Amerindian and interior communities and poor families along the coast benefitting. This initiative showed significant increases in the number of children attending schools and improved nutritional levels among the students. In September 2010 the programme was expanded to include all school age children enrolled from nursery, primary and secondary levels and this continues to the present date. School-aged children receive a school uniform allowance voucher which their parents use to purchase uniforms, shoes, and /or satchels.

[120] This was reintroduced in 2006 mainly in the Amerindian and interior primary schools and targeted primary schools along the coast. The programme in 2010 has been expanded to reach 47,000 primary school children costing $ 600,000 USD.

[121] See Guyana's response to questionnaire on the World Programme for Human Rights Education Phase 1, April 2010.

521. The GoG has taken steps to integrate modern technology in the educational system. In 2010, a new initiative to expedite this process with the provision of a lap top for every household, a three year programme (2011-2013) known as the One Lap Top Per Family programme (OLTPF). In the Amerindian and hinterland communities due to the distance between the houses and connectivity problems, this programme will establish cluster computer centres (hubs) in every Amerindian village available for use by the schools and community.[122]

522. In addition the Ministry of Education has 2 programmes, one which targets over a 2 year period (2010-2013) building and providing computers and computer labs in all secondary schools and second, one that targets the provision of computers and computer labs in primary schools. In 2011, 80 of secondary schools rec'd computers and computer labs and 60 primary schools.

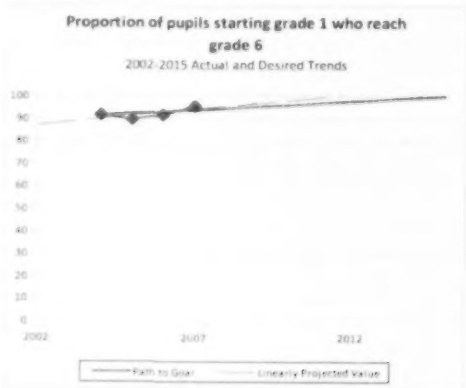
523. The installation of two fibre optic cables (two by the GoG, and one by a private telephone company) will allow the entire country to be connected over the next 3 years.

1. Primary education

524. In accordance to Article 149H (1) and 27(1) of the Guyana Constitution, every child is entitled to free primary education in the public education sector.

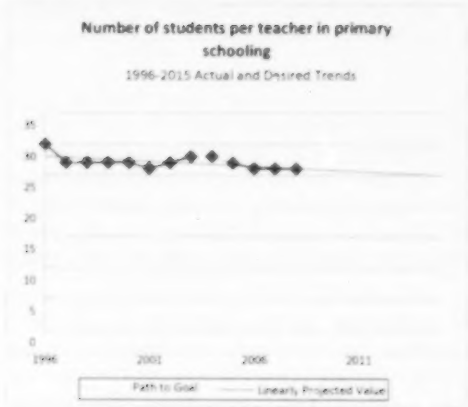
525. In respect to primary enrolment, for 1997/98, the enrolment was 78.6% with males accounting for 77.7 and females' 77.6%. According to the MICS of 2000, the total percentage of males attending primary was 97.4% compared to 98.1% for females. When comparing the MICS for years 2000 and 2006, the net primary school enrolment rate was 97.7 and 96.2% respectively. The completion rates for 2004 were 91% and in 2007 95% (see Graphs 1.A.8 and 1.A.9 below).

Graph 1.A.8



[122] See earlier references to this issue with regard to the Budget cuts in the National Assembly in April 2012 that removed Guyana's part of its contribution to this programme.

Graph 1.A.9



Source: Ministry of Education Guyana

526. Having reached 94% primary enrolment at the time of the 2002 Census,[123] Guyana was well on its way early on to meet the MDG Target 2. Guyana has also achieved gender parity in primary education at the national level with near universal access to primary education. Public school enrolment at the primary level was 104,440 in 2008-9 academic school year, an improvement from 70% enrolment of the child population in 1992. In 2009/10 academic year, based on the Bureau of Statistics population projections, it is estimated that 90% of the relevant age cohort is enrolled in primary schools in the public sector. Repetition and drop out rates at the primary level is 1% and 3% respectively, therefore the completion rate at primary level is now over 90%.

527. Guyana has made excellent progress towards achieving universal primary education. The country is likely to meet the target of ensuring that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling.

528. Guyana's attempts to close the gap in primary education between coastal and rural/hinterland areas is reflected in the MICS3 net primary attendance ratio with an average of 95%, and a difference of no more than two percentage points in favour of coastal areas. This reflects the interventions of the Education for All–Fast Track Initiative (EFA-FTI) programme which includes remote area incentives, provision of core texts, satellite teacher training and learning centres which target the unqualified teachers in the hinterland, multi-grade programming and child friendly methodologies for the riverain and hinterland locations.

529. With the combined support from the World Bank, CIDA, EU, IDB and UNICEF, the Basic Education Access and Management Support (BEAMS) project and the (EFA-FTI) 40% of all hinterland schools were brought up to the national standard by 2007.

530. As a result of this deliberate intervention to ensure equitable access to education for all children, the GoG has constructed and equipped a primary school in every Amerindian community. There are over 200 nursery, primary and secondary schools maintained by the

[123] It should be noted that nursery school (aged 3 Years 9 months) is not compulsory but there are nursery schools in almost every rural and Amerindian Village and it is anticipated that it will be made compulsory. Enrolment is almost 95%.

Government of Guyana in Amerindian communities. The GoG has also built 13 secondary schools (enrolment 5547) in interior and riverain areas accessible to Amerindian communities equipped with dormitories. In 1992 there was only one secondary school with a dormitory in the interior.

531. At the primary level, initiatives have also been taken to reduce illiteracy, target repetition and dropout rates. In 2008 $115 million GY was allocated for the implementation of a nationwide literacy programme under the Fast Track Initiative and $90 million was spent on the Numeracy Programme This has included the development of literacy and numerical standards, and the design and piloting of a new methodology to improve the teaching of reading. In addition, an OAS-supported project "Meeting Special Needs in the Classroom" is being implemented to specifically target children with learning or physical disabilities.

532. Technical and financial support is also received from UNICEF for the Child Friendly Schools and Escuela Nueva initiatives, for the Ministry of Education's reform process centered around the National Strategic Plan as well as the goals of the Education for All (EFA), the MDGs and the UNDAF. The project aims to have 80% of girls and boys in Guyana complete quality education in gender sensitive and child friendly environments and addresses regional and gender disparities in learning achievements and dropout rates.

2. Innovative School feeding Programmes

533. Guyana is of the view that this model of education especially as it relates to interior, hinterland and riverain education is a Good Practice. School Feeding Programmes which tap the use of locally produced products is an innovative example of Government efforts to tackle attendance rates – while also targeting the objectives of increasing student attentiveness and improving child nutrition. There are three different programmes operating across the country, targeting children in primary schools. A fruit beverage and biscuit snack programme has been rolled out, serving 80% of Guyana's nursery and primary schools. Hot meals are provided in around 45% of schools in the four hinterland regions (1, 7, 8 and 9) and in Region 9, peanut butter and cassava bread snacks and fruit juices are offered in schools which is culturally acceptable and nutritious. Noteworthy, is that the food is grown by the farmers, processed and cooked by community and paid for by the Ministry of Education. Thus this has been recognized as a model which has improved the enrolment and attendance and learning levels of the children in these schools and has also contributed to economic activity and financial gains for farmers and women in these villages.

534. A World Bank evaluation of the hot meals programme in Regions 1, 7, 8 and 9 showed that the programme had increased average attendance by 4.3% between 2007 and 2009, that it had increased students' attention span and class participation and that levels of severely stunted children were consistently lower in schools with the programme. An evaluation of the peanut butter and cassava bread programme in Region 9 supports these conclusions, clearly showing a marked increase in attendance and concentration among the student population.

535. Some implementation difficulties have been encountered in the 4 interior regions --- the difficult terrain, access by aircraft only or by river, leading to very high transport costs in more remote regions and storage concerns. Thus the production and use of local produce wherever possible – such as the peanut butter and cassava bread model offered in Region 9 – help to reduce some of these difficulties.

536. The use of computer technology is a major necessity for the Technical and Vocational Education and Training (TVET) institutions which now offer programmes on computer studies for those who had no exposure to this technology at school. Computer-Aided Design Training is now almost indispensable in instruction for drafting in

engineering, construction, interior design. The Cyril Potter College of Education provides in-service teacher training via the distance mode, in 14 in-service centres spread across the country.

537. The Education Television Broadcasting Service known as the Guyana Learning Channel was launched on April 4, 2011 and is intended to maximize and re-orient resources, especially in reaching out to children across Guyana. It aims to: (1) Fill the gaps in teaching and learning in regions, education divisions which have limited teachers and limited skills (2) Encourage the best teachers to develop demonstration lessons which can then be transmitted across Guyana (3) Complement the One Laptop Per Family project (4) Enhance distance education and (5) Engage the general public in various educational activities. Whilst not operating on a 24-hour basis as planned for the future, it will not have any political nuances, and will be broad-based, addressing health, education, and the humanities, among other topics.

538. Among the objectives of the One Laptop Per Family project are enhancing knowledge, skills and capacities for family who have not had access to ICT; engaging communities to support the context of social and community learning; and providing opportunities for people to use the internet to access and share information.

539. Government has supported the more innovative use of technology to deliver distance education in its efforts to mitigate the shortage of skilled teachers in some areas. Guyana has successfully used technology to support learning in schools. In a small pilot in 2006, 14 primary schools were outfitted with computer laboratories and a supportive software "Success Maker" was introduced to improve student achievement in Mathematics and English. Through this programme students are guided on the computer to learn and practice basic numeracy and literacy skills at precisely the level that they individually need, based on constant diagnosis by the computer. There was a 100% improvement in the language and mathematics results in 10 of these schools and improvement continues on a consistent basis. The programme is expected to be extended to reach 50% of primary schools by the end of the Ministry's strategic plan period.

540. The OAS has also engaged in building capacity for sustainable human development and enhancing the quality and scope of teacher education in Guyana. UNICEF in collaboration with the Ministry of Education supplied 42,000 pairs of sandals to the schools in the hinterland area and river schools. Additionally there have been programmes for sustainable school water, sanitation and hygiene initiatives in schools.

541. Student-to-teacher ratios and the proportions of teachers with appropriate training have been progressing broadly in line with targeted improvements. Student-to-teacher ratios have been relatively stable over the past few years, being maintained at a level of 26 students per teacher in 2007/08 and 2008/09 (see Graph 2.A.2). The proportion of primary school teachers with training increased from 51.5% in 1994 to 64% in 2008/09 (see Graph 2.A.3).

542. End-of-primary school examination results show that there is room for improvement in the four core subject areas of Mathematics, English, Social Studies and Science. The 2009 National Assessments for Grades 2, 4 and 6 revealed that in each subject area, the majority of students still do not reach an acceptable standard. Performance in the hinterland regions, although improving, is still a challenge to ensure all are at the national average. The Ministry of Education has developed of literacy and numeracy which set out precisely what children should know and be able to do at each grade, resulting in improved school curricula.

543. The Government has also introduced two key remedial programmes to improve numeracy (Interactive Radio Instruction programme) and literacy (Fast Track Literacy Programme), focusing on target groups such as poor performers in primary schools and out

of school youths. Results from the Fast-Track Literacy Programme for 2008/09 show that the initiative has been successful in raising the reading age of entrants by 28 months after its 2 year duration.

544. In 2011 students that gained 50% and over in English Language amounted to 38% compared to 24% in 2010. In Mathematics 41% gained 50% and over while in 2010, 34% were in that category. For Science, 44% achieved 50% and over while in 2010, 33% achieved that grade; Social Studies showed 33% obtained 50 per cent and over while in 2010, 34% achieved that grade. These results show a significant improvement in students who have gained 50% and more and shows that the education system is improving in terms of the quality of educational outcomes.

545. Two key hurdles faced in improving the quality of educational outcomes are insufficient/inadequate teacher training and low attendance rates of both students and teachers in some of the 10 administrative regions.

3. Secondary education

546. In accordance to Article 149H (1) of the Constitution, every child is entitled to free secondary education in schools owned and funded by the state. The GoG provides tuition free education which includes the provision of text books in the public sector. A detailed explanation of the secondary school system can be found in Guyana's report to the Universal Periodic Review in 2010.

547. Total secondary education enrolment is 68,163 for the 2009/2010 academic period (the Bureau of Statistics) which is also an improvement from 45% in 1992 to 75% in 2008.

548. The goal of providing universal access to secondary-level education is being pursued through various measures which include: provision of scholarships and subsidies for textbooks and fees for the Caribbean Secondary Education Certification Examination (secondary school exit examination);provision of additional scholarships for students from hinterland areas; support for Parent Teacher Associations to help increase the level of commitment of students, parents and communities, and construction, extension and repairs of schools under the Basic Education Access and Management Support (BEAMS) programme.

549. As stated earlier under Article 13(1) herein, equal access to education and quality of education is fundamental to Guyana's constitution and national developmental agenda. At the secondary level more schools have been built to accommodate a growing population and demographic shifts due to opening of land for government housing schemes. Special attention, like at the primary level, has targeted Amerindian and hinterland areas with the construction of 13 secondary schools. This has resulted in an explosion of children in these areas accessing secondary education for the first time in Guyanese history and creates challenges for providing accommodation.

550. Two of the largest sub-regions and Amerindian communities in Region 1 and Region 8, for instance, Moruca and Paramakatoi began with 2 small secondary schools with approx. 20 and 58 students respectively in the late 1990s and today there has reached over 726 and 700 students respectively. The pressure is now to expand the present dormitories and build more secondary schools with dormitories in more areas of the interior. Two such new schools are in construction.

551. The State Party is aware of the fact and is concerned that there are young people who drop out of the education system, particularly at the secondary level, and are inadequately prepared for the challenges of adult life. One of the reasons forwarded for this problem is the inability of the students to cope with the curriculum. Recent assessments by the Ministry of Education show that the drop out rate at secondary schools declined from

12% in 2005 to 5.5% in 2010. Initiatives have therefore been taken to resolve this which include remedial programmes and Youth skills training programmes, please refer to article 13(2)(d).

4. Equitable access to higher education

552. The GoG is committed to the implementation of equitable access to higher education, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education, as adumbrated in this Article.

553. As elaborated on in Guyana's response to Article 6 (2) of this report, at the post-secondary level, there are several state-run institutions – three Nursing schools, the Guyana School of Agriculture, The E.R. Burrowes School of Art, The Carnegie School of Home Economics, the Cyril Potter College of Education and in service teacher training programmes in each region and 4 Technical Institutes in 4 regions, and the Felix Austin Police College. Approximately 6029 students enroll annually in these programmes. These are all offered at minimal or no costs.

554. The University of Guyana (established in 1963) is the only Government University in Guyana. There are two campuses located in the most populated regions. It offers programmes leading to a Diploma / Certificate or Bachelor's or Master's degrees. There are the Faculty of Agriculture and Forestry; School of Education and Humanities, Faculty of Health Sciences, Institute of Distance and Continuing education, Faculty of Natural Sciences, School of Earth and Environmental Sciences, Faculty of Social Sciences(which also has the Law School), and the Faculty of Technology. The University through the GoG offers a student Loan and fees payment programme.[124] The University has benefitted from various technical support from Guyanese in the diaspora, other universities and regional and international bodies.[125]

555. In July 2011, the World Bank approved a loan of US$10 Million to finance the University of Guyana's Science and Technology Support project. An estimated 6,300 students and faculty will benefit from this project which will strengthen science and technology tertiary education in order to advance Guyana's Low Carbon Development Strategy (LCDS). According to the World Bank by supporting the University's faculty students, this project will prepare today's researchers and students to have practical

[124] Fees for local students (as of 2010 at the time of reporting) are computed on the basis of G$127,000 per year, except for Dentistry, Law, Medicine, Nursing and Tourism Studies which are G$500,000; G$300,000; G$500,000; G$251,000; G$153,000 respectively For the purpose of tuition fees at the University of Guyana, applicants are defined under one of the following categories: *Guyanese* including those who are Guyanese citizens who either by birth, descent or naturalization and whether they have been resident in Guyana or not; and, Foreign who are required to pay annual tuition fees of US$4,000 for under and post-graduate programmes – Certificate, Diploma and Degree programmes except for Dentistry, Medical Technology, Medicine and Nursing which are US$10,000; US$6,000; US$6,200 and US$5,000, respectively.

[125] The OAS has encouraged strengthening knowledge networks in the Caribbean computerization of students records at the University as well as development of local areas networks (LAN) to enhance the delivery of tertiary education on Guyana. To enhance Guyana's capacity for social and economic development and the alleviation of poverty, OAS supports a new economy through higher and continuing education development by widening access to university education and relevant, functional training for the wider community. OAS also enhanced the Library automation and security at the University of Guyana to make the University intra-mural and extra-mural clientele operate in a more and effective manner and enhance the resources available to patrons, including off-campus researchers, through online access to the repertoire of information resources available from external computerized databases.

knowledge and skills to meet the needs of tomorrow's low carbon economic and social development.

556. There are also private educational institutions which offer certificate/diploma/degree programmes through links with Cambridge University and other foreign distance learning programmes.

557. Through bilateral cooperation agreements, Guyanese can access post-secondary university scholarships in India, China, Cuba, Japan and more recently in Mexico. On completion of their studies, these students return to Guyana and serve for a specified time in the public sector. Whilst abroad the GoG provides some financial assistance to offset their living costs in another country and pays for their return visit to Guyana on an annual basis.

558. The Cuban Government has made provision of 1000 scholarships for Guyanese students in Cuba to study medicine and other fields such as agriculture, engineering, etc.

559. In addition, the Organization of American States (OAS) has awarded scholarships for individuals to pursue advance studies overseas, under the OAS Graduate and Undergraduate Scholarship programmes.

5. Second chance for those who did not complete primary education

560. The GOG recognizes that in the past many students for various reasons did not or could not complete primary education as well as a larger percentage may not or would not have completed secondary education. Whilst the numbers of drop outs have declined nevertheless this still remains an issue which the government must address.

561. To ensure that school dropouts are given a fair chance in life, various initiatives have been undertaken to equip them with basic education skills, reintegrate them into the educational system and provide opportunities for a second chance to continue formal education, or an alternative education in a more vocational stream. Thus the premise of inclusion, transition and integration within a flexible framework is used to aid life long learning and continuity for the less academically-inclined.

562. Three main initiatives may be highlighted:

(i) The Basic Competency Certificate Programme whereby students who are more skills-inclined are given an opportunity to pursue this programme after the third form of secondary school (14-15 years old) to motivate them to stay in schools;

(ii) Skills training programmes offered by the Ministry of Labour[126] and the Ministry of Culture, Youth and Sport[127] which involves engaging dropouts and low achievers. These youth are given a stipend, training in various vocational skills at pre-technical institute levels and then assigned for specific periods with various business

[126] In 2005, the Ministry of Labour's National Training Programme for Youth Empowerment (NTPYE), a $350 million, three-year project, was launched to provide training for early school leavers and out-of-school youth in skills such as carpentry, welding, plumbing, surveying, refrigeration and air-conditioning and clerical skills. This Programme has been extended and has catered to over 2000 students in the last 5 years

[127] This has been developed in this report in response to Article 6 (2) The Ministry of Culture, Youth and Sport (MCYS)'s Youth Entrepreneurial Skills Training Programme (YESTP) train young people from across the 10 regions in a variety of skills, approximately 500 per annum are beneficiaries of this programme. It also coordinates the President's Youth Award, Republic of Guyana programme, a licensed operator of the Duke of Edinburgh International Youth Award Scheme, which has reached over 10,000 youth between the ages of 14-25 years since its inception in 1998

houses to gain work experience. Upon successful completion of the programme a Competency Certificate is issued that would allow them to re-enter the formal education system at the level of one of the four government run Technical Institutes/Carnegie School of Home Economics/Guyana School of Agriculture, after which they can make themselves eligible to enter University;

(iii) The Skills For Life Programme whereby dropouts and young adults can develop basic literacy and numeracy skills in addition to a life skill which is vocational in nature. It should be noted that these programmes referred to not only offer vocational skills training but life skills including gender relations, violence against women, drug awareness, sexual and reproductive health and self-esteem. The majority of these programmes are specifically focused on involving young males between the ages of 16 and 25 in recognition of their higher levels of drops outs and under achievement as well as perpetrators of anti-social behaviour. Distance learning education for those who have not completed primary and secondary school is also available;[128]

(iv) Specific targeting of single parent and young mothers, Single Parent Assistance Facility and WOW micro-credit scheme mentioned earlier in this report.

563. With improved connectivity referred to in the introduction and background section and Article 13 (1) of this report, more students from interior, rural and riverain areas will be able to access distance training education without having to find additional funds for transportation and accommodation.

6. Development of school system

564. The GoG has in the last 17 years built,[129] rehabilitated and extended hundreds of schools throughout the country, most evident in the Amerindian communities. There are 339 discrete nursery schools, 88 nursery classes in primary schools, 440 primary schools, 109 secondary schools and 14 practical instruction centers in 2009 in the public education sector.

565. In 2011, 2 new primary, one nursery and one secondary schools were construction and commissioned. Also, two new technical and vocational training centres were completed in 2 administrative regions.

566. Teacher availability at the various levels of schooling (the nursery, primary and secondary levels) are as follows:

(a) 1:15 at nursery/preschool level;

(b) 1:26 at primary level; and

(c) 1:21 at the secondary level.

567. These ratios are in fact very reasonable for a developing country. However, where it concerns the proportion of trained teachers to students, then the teacher to pupil ratios would be:

(a) 1:27 at nursery level;

(b) 1:44 at primary level; and

(c) 1:36 in secondary schools.

[128] The Guyana Defence Forces launched a long distance education programme in 2010.

[129] See Part V11, Guyana report to CRC April 2010.

568. Please refer to earlier section on Article 13(2) (a) efforts to prove numbers of trained teachers in the public education system.

7. Right to choose an educational institution

569. The GoG affirms its undertaking to have respect for the liberty of parents and, when applicable, legal guardians to choose their children's schools, other than those established by its public authorities, which conform to such minimum educational standards as may be laid down or approved by the GoG and to ensure the religious and moral education of their children in conformity with their convictions.

570. Both public and private education exists in Guyana. Article 145 of the Constitution provides for the protection of freedom of conscience. Specifically the Constitution provides the right to establish private education institutions (Article 491) and the freedom to choose the learning institution a child wishes to attend (Article 149 H). In the private educational system the majority of the school are faith-based (Bahai's Christian, Hindu, Islam).

571. Guyana therefore ensures parents' right to ensure the religious and moral education of their children in conformity with their own convictions is guaranteed. Parents and legal guardians therefore are at the liberty to choose the schools for their children other than those established by the authorities.

572. Article 45(3) enacts that except with his own consent,(or for the person who has not attained 18 with the consent of his legal guardian), no person attending any place of education shall be required to receive religious instruction or take part in or attend any religious ceremony or observance if that instruction, ceremony or observance relates to a religion which is not his own.

573. As a secular state, religion is not taught in the public educational sector. In the public school system, children are free to wear head coverings such as the hijab, or other such requirements of their religion and culture such as those of the Rastafarian belief.

574. At official state functions either a generic prayer or those which represent all of the 3 main religions – Christianity, Hinduism and Islam.

575. In accordance to Article 149 I of the Constitution enacts that no person shall be hindered in the enjoyment of the right to establish a private school which shall be under the regulation of the state. Guyana has schools from primary to tertiary levels that are privately owned and managed which must conform to the minimum standards as laid down by the State through the Ministry of Education and by other Ministries (health, child care protection, labour).

Article 14 – Compulsory primary education in other territories

576. Guyana neither has a metropolitan territory or other territories under its jurisdiction. As recognized Guyana is divided into ten administrative regions and all of them have adopted the policy of free school education in all government owned schools.

Article 15 – Right to take part in cultural life

577. In accordance with Article 15, Guyana's goal of economic development includes the objective of providing the structural basis for the greatest possible satisfaction of the peoples' growing material, cultural and intellectual requirements, as well as the dynamically stable development of their personality, creativity, entrepreneur skills, and cooperative relations in a pluralistic society.

1. Right to take part in cultural life

578. The GoG recognizes the right of everyone to take part in cultural life and to practice their cultural beliefs.

579. In accordance to Article 35 of the Guyana Constitution, the GoG honors and respects the diverse culture which enriches its society and seeks constantly to promote national appreciation of them at all levels and to encourage national pride, dignity and a truly Guyanese culture. Its diverse culture provides for the distinctive ways by which people – whether classified by ethnicity, nationality, religion, or other category has responded to, reflected on and expressed its historical and continuing experience of life. These ways are expressed in everything, including knowledge, experience, beliefs, values, customs, traditions, distinctive institutions, and its way of making meaning in life. The role of culture is clearly defined as an integral component of national developmental advancement and sustainable development.

580. Guyana has an institutional infrastructure to support the participation in culture across the country whether urban, rural or interior.[130]

581. Since Guyana attained independence in 1966, Guyana has always sought to promote the right to culture. A department of culture was first established in 1966 after the attainment of independence. In 1970s a Ministry of Information and Culture was established. In 1998, the GoG established a Ministry of Culture, Youth and Sport to provide focus to these important areas of life and to oversee the multi-cultural aspect of the country's life.

582. This Ministry's mandate includes the preservation and protection of Guyana's cultural heritage (tangible and intangible); foster and promote the creative, performing, literary, traditional, visual and fine arts; encourage the development of national ethos that embraces multiculturalism, and national identity and pride; enhance the appreciation of the role of culture in development; promote aspects of Guyana cultural heritage; ensure effective intra-and inter-cultural exchange for harmonious co-existence; facilitate community action against practices that impinge negatively on human dignity and promote research on and advocacy of cultural promotion.

583. Guyana's diversity – culturally, ethnically, religiously and linguistically – has been reported in Guyana's response to the UN Questionnaire on Minorities and Citizenship submitted in 2007 and the State Party's reports to the Committee on the Elimination on Racial Discrimination 2006 and 2008.

584. The Constitutional framework rests on the premise that there is unity in diversity and the State fosters equity in access to and opportunities to create and reconcile diverse values through dialogue, respect for difference and recognition of those differences.

585. Guyana recognizes individual as well as cultural rights and the rights that unite the country and the region as a whole. These rights are reflected throughout the constitution and clearly enunciated in its Preamble.

586. The Government believes that the reservoir of culture is in the villages and communities of Guyana; this is reflected in the traditional practices of nine (9) Amerindian peoples and the African, Indian, Portuguese and Chinese influences in the society.

587. Mashramani is the annual national cultural festival with competitions in various cultural art forms in and between the 10 regions culminating in a float parade in which the

[130] Guyana's initial report August 7, 1995 E/1990/5/Add.27 provides some information still relevant today.

regions, business, and non-governmental groups participate. On the final day, there are over 100,000 people involved in the parade.

588. The National Trust of Guyana established by the National Trust Act Ch 20:03 is committed to the preservation, conservation and public display of all aspects of the cultural heritage of Guyana. The Trust also propagates the awareness and a wholesome understanding and appreciation of the relevance and significance of aspects of the nation's heritage to the national psyche.

589. The new Maritime Zone Act 2010 provides for underwater cultural heritage and underwater antiquities in keeping with the UNESCO Convention on Underwater Heritage. The Ministry of Culture will be the body which oversees and regulates this area of the MZ Act.

590. There are 3 Museums – National Museum primarily on natural science, the Museum of African Art and Heritage and the Walter Roth Museum of Archeology and Anthropology dedicated to the African and Amerindian peoples reflecting the rich diversity of the country.[131] There are also 2 community museums in 2 other regions.

591. The National Archives of Guyana established under the National Archives Act acquires and preserves all public records that are of value for administrative purposes and for historical research. It was organized in 1958 and it holds a vast quantity of historical data valuable to the development thrust of Guyana. The National Archives has approximately 700 meters of textual material, 10,000 printed items and 55 meters of newspapers (32 titles. Of the holdings 5% date from the 18th century, 55% from the 19th century and 40% from the 20th century. The Dutch collection dates back to 1714. Immigration documents, certificates, Registers, letter books recorded in official government bu[illegible]ess related to indentureship labour migration of over 400, 000 indentured labourers from Portugal, the Azores, China, India and Africa. The newspaper collection dates from 1819 to date. A Draft National Appraisal Policy for Government Records is in place to that will promote the adequate preservation of documents and prevent the destruction of valuable documents.

592. The National Library and an extension mobile library service and libraries in schools help to ensure access to information and knowledge.

593. In short, all Institutions including Government ministries, local government organisations, educational institutions and semi-autonomous bodies such as libraries, museums, the National Trust and the National Cultural Centre, E.R. Burrowes School of Art, The National Dance School, the National Art Gallery Castellani House as well as the civil society and the private sector support the promotion of the right to culture in Guyana.

594. There are many religions – Christian, Hindu, Muslim well as Bahai's, Rastafarians, Kali Mai, and traditional spiritualists. Freedom to worship, etc. (Article 145) is upheld and Guyana is recognized as a tolerant nation with diverse religions. It is not uncommon to open events with prayers from the 3 main religions (Christian, Hindu and Muslim). Believers in Islam are allowed time off to go to mosque on Fridays and during Ramadhan.

[131] This Museum offers a Junior Archeology programme for primary schools where children are given hands on experience. Activities include Blow Pipe and Curare; Warau Language and culture, archeology, Amerindian languages, how to undertake research in artefacts, and the nine Amerindian groups. The ER Burrowes School of Art also introduces child art programmes during school vacations which are offered through the MCYS annual vacation camp programmes in the 10 regions involving several thousand children between the ages of 11-16 years old.

595. Guyana has a wide range of cultural goods given the diversity of the people. Guyana has fine artistry that is attractive, healthy and environmentally friendly. Handicrafts include basketry and other woven work, ceramics and forms of pottery, jewellery, bags, ornaments, leather products, textile design arts, wood carving and painting among other forms. Visual arts and crafts are produced by artisans in almost all parts of the country with product differentiation based on culture and history. This has promoted the identities of the various groups including the Rastafarians and Amerindians and created avenues for income generation.

596. The cultural goods are displayed at museums, exhibitions and also showcased during Amerindian Heritage Month, Emancipation Week, the Arrival Day and several other avenues. The GoG has also strengthened partnerships for the various stakeholders in the delivery of cultural goods and services.

597. It is important to note that the GoG recognizes that cultural goods are derived from the environment and as such cultural practitioners interact with the environment. Hence policy interventions emphasize environmental protection.

598. Guyana has decentralized concerts, theatres, cinema and sport activities to ensure that all persons have access to the same. The GoG through the Ministry of Culture Youth and Sports additionally undertakes collaborative initiatives to facilitate visits to Guyana. These include bilateral cultural cooperation with China, India, South Africa, Cuba and Korea.

599. In 1987 Guyana introduced the Guyana Prize for Literature in fiction, poetry and drama. This event is held biennially and Guyanese artists and writers in the diaspora participate.

600. The National Cultural Centre seating over a 1000 clients is the largest theatre and is the venue for shows in drama/musical category for the public. These are available at a minimum fee. The National Dance Company and National Dance School train and create dance and creative art forms in keeping with Guyanese cultural diversity.

601. In respect to sports activities, it is submitted that the GoG sees sport as the vehicle for integration in a multi-cultural society and the development of a healthy population. Thus community sport clubs, school clubs, national associations, freely operate and the National Sports Commission provided for by statute with annual budgetary allocations lends support to community, regional and national sport organizations and programmes.

602. The President's Youth Award Republic of Guyana (PYARG) Programme, a licenced operator of the Duke of Edinburgh International Youth Award Scheme, involves youth in the areas of community service, expedition and skills training. During the programme participants are expected to develop team skills, participate in map reading and navigation, map trails, interact with youth of different backgrounds and cultures and promote the award. PYARG launched a 'Caravan of Hope' to promote HIV/AIDS awareness and positive, healthy lifestyles. The programme is ongoing. This programme was introduced in 1998 and today has involved over 10,000 youth between the ages of 14 and 25 years across the country.

603. Additionally, youth participate in "August Vacation Camps" organised by the Ministry of Culture, Youth and Sport. These activities are held annually. At these camps, many youth are able to learn such things as self-esteem, art and craft, tours to historical sites, hiking, culture and heritage, health and environmental education, fitness, music, dance and etiquette. Additionally, the Ministry's sport division holds a number of training camps in various sport disciplines such as basketball, football, cricket, volleyball in the annual vacation period.

604. The GoG has made policy interventions to ensure that Persons with Disabilities and the elderly participate in and benefit from cultural life. All persons have access to cultural life and there are specific sports activities designed for PLWDs.

605. The Para-Olympic Committee of Guyana in 2003 organized the biennial Para Olympic Games for persons with disabilities which from its introduction has been well supported by the public and sport organizations working with persons with disabilities. Guyana has also sent junior and senior athletes to the Para Olympic Games as well as Regional athletic events in USA, Canada and the Caribbean. Through this and other interventions, the GoG works towards ensuring that an equal and conducive environment is created for the differently-abled.

606. In respect to indigenous peoples, Article 149G provides for the right of indigenous peoples "to protection, preservation and promulgation of their languages, cultural heritage and way of life." The Walter Roth Museum is a living symbol of their contributions over 11,000 years of existence in Guyana. September is officially dedicated as Amerindian Heritage month and activities are held throughout the Amerindian villages with the budgetary and technical support of the Ministry of Amerindian Affairs in collaboration with the Amerindian Village Councils.

607. Guyana participates in and was the originator of the Caribbean Festival of Creative Arts (CARIFESTA) in 1973.[132] The first Inter-Guiana Cultural Festival between French Guiana, Suriname and Guyana was held in August 2012 following on Biennial Inter-Guiana Sports Competitions which have been held for over 15 years.

2. School and professional education in the field of culture and the arts

608. In accordance to Article 27(2) of the Constitution, it is the duty of the state to provide education that would include curricula designed to reflect the cultural diversities of Guyana and disciplines that are necessary to prepare students to deal with social issues and to meet the challenges of the modern technological age. Further article 28 enacts that youth have a right to among other things social and cultural development and opportunity for responsible participation in the development of the society. Culture and arts are incorporated into the syllabus of the Guyanese schools.

3. Right to enjoy the benefits of scientific progress

609. Guyana promotes scientific progress that benefits everyone including the disadvantaged and marginalized individuals and groups. The National Agricultural Research Extension Institute is actively engaged in providing farmers with new breeding stocks of swine, cattle, sheep and goats and new species and types of agricultural products especially rice.

610. Measures have been undertaken to prevent use of scientific and technical progress for purposes with are contrary to human dignity and human rights. This includes putting in place medical and other protocols to ensure that research is carried out within the acceptable international human standards and to protect Guyana's biodiversity being negatively impacted on by genetically modified strains.

[132] It has hosted this regional festival twice since its inception. This festival is a celebration of the ethnic and racial diversity which separately and collectively created cultural expressions that are wonderfully unique to the Caribbean. It is a vision of the peoples with roots deep in Asia, Europe and Africa, coming together to perform their art forms and embracing literature inspired by the Caribbean's own peculiar temperament; paintings drawn from the awe inspiring tropical ecology; and the visionary inheritance of our forefathers.

4. Protection and benefits of cultural and scientific products

611. The laws relating to Industrial Property include Patents:

- Patents and Designs Act No. 9/1937 (chap. 90/03) of 1938, based on United Kingdom Patents Act of 1949;
- Patents Regulations (Reg. August 1937, 8/1951, O. 15/1970).

612. In respect to Trade Marks:

- Trade Marks Act No. 67/1952 (chap. 90/01), as last amended in 1972, based on the United Kingdom Trade Marks Act of 1938, Merchandise Marks Act (chap. 90:04);
- Trade Marks Rules (R. 1/1955), amended in 1972.

613. In respect to Industrial Designs: As above, under Patents.

614. Copyright and Related Rights Copyright: Copyright Order of 1957; Copyright Order of 1961; Copyright (British Guyana) Order No. 79 of 1966, to extend the provisions of the Copyright Act of 1956 of the Copyright (International Conventions) Order of 1964.

615. Guyana has Membership of WIPO treaties including: WIPO Convention, since October 1994. Paris Convention (Industrial Property), since October 1994. Berne Convention (Literary and Artistic Works), since October 1994. Guyana is also a WTO: Member and Signatory to TRIPS Agreement, since January 1995.

616. The GoG has made several efforts to amend the laws relating to intellectual property rights but there has been little success in concluding these due to deep seated controversies. Guyana will continue to make efforts to do so.

5. Steps taken to protect the moral and material interests of indigenous peoples relating to their cultural heritage and traditional knowledge

617. The Guyana Constitution and laws protect the moral and material interests of the indigenous peoples relating to their cultural heritage and traditional knowledge. The Guyana Constitution Article 149 G specifically states that "indigenous peoples shall have the right to the protection, preservation and promulgation of their languages, cultural heritage and way of life". The Amerindian Act 2006 provides for the protection of material and moral interests relating to the cultural heritage of the Amerindians. And the laws governing mining also include protection of their heritage.[133]

618. As stated earlier September annually is nationally and officially celebrated as Amerindian heritage month with national activities across the country and in every Amerindian community celebrating their cultural heritage and their contribution to Guyana's development.

619. The National Toushaos Council (NTC) representing the Toushaos or elected captains of the 134 Amerindian communities in Guyana meet every 2 years for one week where time is set aside for the President and Cabinet members to be present and hear representation form the Toushaos for 3 days. The NTC is the legitimate authority of the Amerindian peoples and their 20 person executive is elected biennially at the NTC Conference.

620. The enactment of the Protected Areas Act No. 14 of 2011 provides for the inclusion and role of the Amerindian communities in designating and in the designated protected areas.

[133] This is reflected in Guyana's submission of its follow up questions to UNCERD in 2008.

6. Conservation, development and diffusion of science and culture

621. The National Science Research Council is established by virtue of National Research Council Act Cap 42:01. S4 of the Act provides for the functions of the Research Council. Unfortunately, it has not been functioning.

622. The Institute of Applied Science and Technology (IAST) was established in 1977 with a mandate "to provide a vehicle for the harnessing of science and technology for commercial purposes." The Institute is funded by the government and focuses on research which will contribute to alternative sources of energy to support the Local Carbon Development Strategy.

7. Benefits from international contacts

623. The GoG encourages scientific research and creative activity and places restrictions on this activity in conformity with human rights and rights of indigenous peoples. Section 4(c) of the National Science Research Council Act enacts that one of the functions of the Council is to promote research and ensure that the application of the results of scientific and technological activities to the development of agriculture, industry and social welfare in Guyana.

8. International contacts and co-operation in scientific and cultural fields

624. Guyana has undertaken several measures for the conservation, development and diffusion of science and culture and encouraged and developed' international contacts and cooperation in the scientific and cultural fields.

625. The GoG enacted the Maritime Zone Act No. 18 of 2010 which replaced the Maritime Boundaries Act 1977. The new Act incorporates the United Nations Convention on the Law of the Sea (UNCLOS) and the UNESCO Convention on the Protection of the Underwater Cultural Heritage. Areas covered include especially marine scientific research, maritime cultural areas, eco-tourism, marine parks and reserves as well as marine culture and the protection and preservation of the marine environment.

626. Guyana is a member of IOCARIBE, a regional subsidiary body of the Intergovernmental Oceanographic Commission (IOC), which promotes and coordinates marine scientific research.

627. GoG has participated in UNESCO Conferences and has also been a benefactor of scholarships for training staff of the Ministry of Culture Youth and Sport in various disciplines related to the same. ON October 15, 2009, the GoG voted to approve Guyana accession to the Convention on the Protection and Promotion of Diversity of Cultural Expressions. This Convention advances multilateral recognition of the importance of cultural policies in fostering the diversity of cultural expressions.

628. The UNESCO Institute of Statistics (UIS-UNESCO) ensured that Guyana receives training in the fields of the use of cultural statistics. This is part of UNESCO overall to support the 2009 UNESCO Framework for Cultural Statistics and provide technical assistance to member states to improve statistics. UNESCO has also sponsored Masters Degrees for public officials in Guyana.

629. To further develop international contacts, the GoG through the Ministry of Culture Youth and Sport has intensified efforts to facilitate culture interchange between Guyana and other countries with which it is has bi-lateral cooperation agreements such as Brazil, China, Cuba, Ghana, India, Mexico, South Africa and Suriname.

630. Guyana has also signed on to the Rio Plan of Action for Cultural Cooperation, between the states of South America and Arab Countries. Guyana has in 2011 named a focal point to the UN Alliance for Civilizations.

631. Guyana has also benefitted from time to time with financial support from the IADB Cultural programme for training staff in the museums and the National Archives.

Part IV

Factors and difficulties affecting the degree of fulfilment of obligations under the present Covenant

632. Guyana has made significant strides in improving the quality of life of its people and strengthening the democratic institutions and the macro-stability of the political and economic spheres of the nation.

633. Guyana continues to face many challenges, however, some are external and others internal:

(i) As a small low lying developing country, climate change and consequential unpredictable weather patterns place the country at high risk for natural disasters such as flooding. Its worst experiences were in the Dec 2004-Feb 2005 and December 2006 floods. Despite suffering its worst natural disaster in the first flood of 2005 which resulted in losses equivalent to 67% of the country's Gross Domestic Product and affected over 300,000 citizens, the economy remained resilient, recovered swiftly, and recorded positive growth over the next 6 years. Guyana's advocacy at the international arena to stop climate change and to champion the cause for support to mitigate the impact of climate change on high risk countries is based on its own vulnerabilities and its own understanding that it can also contribute to saving the Planet as it has preserved one of the last standing intact rainforests. Guyana's own innovation of a Low Carbon Development Strategy as its developmental trajectory for a "green economy" and trading in carbon services is based on this reality;

(ii) The impact of the global financial and economic crisis and the threat of further such events in the near future. In order to respond to the former, the government created initiatives to cushion the impact and through prudent macro-economic management has shown 5 years of consecutive growth of 4%. Guyana remains vulnerable to external shocks and the uncertainty of the current global economic climate. To reduce its debt vulnerabilities decisively, Guyana will continue to pursue cautious borrowing policies and strengthen its public debt management. Guyana also recognizes that these crises have impacted on the availability of funding, both grant and loans, for developing countries and poses a threat to the continuation and maintenance of critical programmes such as those supporting the prevention and reduction of the transmission of HIV/Aids especially those offered to among expectant mothers;

(iii) Consistent and dedicated support to the poverty reduction programmes and the efforts to reduce poverty as "pockets of poverty" still remain a challenge and to improve the efficiency and effectiveness of the delivery of services. Guyana will continue to focus on its priorities to sustain growth, and continue its reforms and increase the effectiveness of its poverty reduction policies;

(iv) The results of the recently held elections in November 2011 whereby the governing party holds the largest single bloc of votes but in the Legislature the two opposition parties together have a one seat majority has posed new challenges and many risks to the nascent democratic institutions and norms. Some of the recent developments

have been described in this report. Guyana has also had cause to approach the OAS and present a brief on recent developments on August 23, 2012.

634. The GoG is aware of these challenges and difficulties and is working hard to ensure that the progressive realization of the economic social and cultural rights of all those within its jurisdiction are promoted and protected to the maximum ability of the state given its available limited resources and to protect the democratic institutions from any reversals or threat to such.

Appendix I

Guyana's submissions to requests for information by OHCHR and other United Nations bodies, pertinent to this report on the Covenant

UN Questionnaire on Right to Education in Detention, February 13, 2009

UN Questionnaire from the Commission on Social Development, on Madrid International Plan of Action on the Elderly, September 8, 2009

UN HRC Resolution 11/3 Trafficking in Persons, especially Women and Children, October 16, 2009

UN Questionnaire on the Right to Education of Migrants, Refugees, and Asylum seekers, January 07, 2010

UNAIDS Country Progress Report, April 7, 2010

OHCHR/UNESCO/UNICEF Implementation of the 1st Phase of the World Programme for Human Rights Education Questionnaire, April 16, 2010

OHCHR Request for Information on women, law and discrimination, June 22, 2010

OHCHR request for information in preparation of a study on the challenges and practices in the implementation of the framework for the Protection of the Rights of the Child in context of migration, August 16, 2010

OHCHR questionnaire on HR and HIV/Aids, September 17, 2010

UN Sec Gen Questionnaire on Violence against Women October 29, 2010

UN Sec Gen Questionnaire Resolution 53/10 "Measures to protect children and young people from drug abuse", November 24, 2010

UN RQ for good practices in relation to indigenous peoples, January 25, 2011

UN OHCHR Questionnaire on right to highest attainable standard of mental and physical health, March 9, 2011

UN RQ for information for the Permanent Forum on Indigenous Peoples Issues, March 28, 2011

UN OHCHR questionnaire on role of promotion and protection of human rights, May 7, 2011

UN Secretariat RQ for Information on Convention of the Rights of Persons with Disabilities, May 4, 2011

UN OHCHR Questionnaire on HR and Extreme Poverty, May 24, 2011

UN Sec Gen on implementation of Resolution 65/139 on Violence against Women Migrant workers, June 9, 2011

UN GA Resolution 64/145 RQ for information on the "Girl child", June 24, 2011

UN OHCHR request for information on human rights of migrants Res 65/212, August 16, 2011

UN Secretary General data base on Violence against Women, Follow Up questions to Guyana's Response to Questionnaire (October 2010), August 22, 2011

OHCHR RQ for information on HRs of Person with Disabilities, August 30, 2011

OHCHR A/HRC/16/64 RQ for information of the child against racism, racial discrimination, xenophobia and related intolerance, Sept 20, 2011

OHCHR questionnaire on children working/living on the streets, October 4, 2011

UNODC questionnaire on trafficking in persons, patterns and flows in preparation of the Global report in 2012, October 10, 2011

OHCHR request for information on HRC/Res 10/23 on the right to education, Feb 1, 2012

OHCHR Special Rapporteur request for information on stigmatization with regards to water and sanitation, Feb 4, 2012

UN Expert Mechanism on Rights of indigenous peoples RQ for info towards consultation on role of languages and culture in promotion and protection of the rights and identity of Indigenous peoples, March 1, 2012